IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON PORTLAND DIVISION

JUSTIN PETERSON,

Plaintiff,

No. 3:19-cv-01701-MO

v.

ORDER

C R BARD INCORPORATED; and BARD PERIPHERAL VASCULAR INCORPORATED,

Defendants.

MOSMAN, J.,

I have reviewed the parties' Master Chart of Deposition Designations and Objections [ECF 169]. My rulings are reflected in the attached table.

IT IS SO ORDERED.

DATED this 3rd day of May, 2021.

Michael W. Mosman MICHAEL W. MOSMAN United States District Judge

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF BLANKET OBJECTION				The testimony in this deposition relates entirely, or in significant part, to the design of the Recovery filter and actions taken regarding that filter. Bard objects to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its MLL #2. The testimony is largely focused on alleged "bad acts" relating to the Recovery filter.	
PL AFFIRM	Altonaga, Bill 10/22/2013	6:18-6:22			
PL AFFIRM	Altonaga, Bill 10/22/2013	7:06 -8 04			
PL AFFIRM	Altonaga, Bill 10/22/2013	8:11-8:16			
PL AFFIRM	Altonaga, Bill 10/22/2013	9:11-9:13 Start at "CETEC"			
PL AFFIRM	Altonaga, Bill 10/22/2013	10:08-10:13 Start at "I guess".			
PL AFFIRM	Altonaga, Bill 10/22/2013	14:04-14:09			
PL AFFIRM	Altonaga, Bill 10/22/2013	33:17-34:10			
PL AFFIRM	Altonaga, Bill 10/22/2013	71:24-72:07			
PL AFFIRM	Altonaga, Bill 10/22/2013	72:11-73:23			
PL AFFIRM	Altonaga, Bill 10/22/2013	86:02-86:19	Sustain	Rule 403 - there is no failure to recall claim in this case.	The Defendants argue and imply through testimony that FDA must consent to their corrective actions and this testimony addreses that argument.
PL AFFIRM	Altonaga, Bill 10/22/2013	87:03-87:04			
PL AFFIRM	Altonaga, Bill 10/22/2013	87:06			
PL AFFIRM	Altonaga, Bill 10/22/2013	87:18-87:22			
DEF COUNTER	Altonaga, Bill 10/22/2013	90:15-90:22			
PL AFFIRM	Altonaga , Bill 10/22/2013	90:23-91:06			
DEF COUNTER	Altonaga, Bill 10/22/2013	91:13-91:16			
PL AFFIRM	Altonaga, Bill 10/22/2013	92:18-92:24			
PL AFFIRM	Altonaga, Bill 10/22/2013	96:17-96:23			
PL AFFIRM	Altonaga, Bill 10/22/2013	99:11-99:19			
PL AFFIRM	Altonaga, Bill 10/22/2013	103:06-103:19			
PL AFFIRM	Altonaga, Bill 10/22/2013	103:22-104:20			
PL AFFIRM	Altonaga, Bill 10/22/2013	105:05-105:07			
PL AFFIRM	Altonaga, Bill 10/22/2013	107:06-107:10			
PL AFFIRM	Altonaga, Bill 10/22/2013	109:19-110:05			
PL AFFIRM	Altonaga, Bill 10/22/2013	113:02-113:06			
PL AFFIRM	Altonaga, Bill 10/22/2013	116:20-116:23 Starting at "We talked"			
PL AFFIRM	Altonaga, Bill 10/22/2013	117:08-117:13			
PL AFFIRM	Altonaga, Bill 10/22/2013	118:17-118:22 Starting at "and we"			
PL AFFIRM	Altonaga, Bill 10/22/2013	124:18-125:18			
DEF COUNTER	Altonaga, Bill 10/22/2013	124:18–125:14	Sustain	FRE 403: testimony is already contained in Plaintiff's affirmatives so results in undue delay, waste of time and needless presentation of cumulative evidence	
PL AFFIRM	Altonaga, Bill 10/22/2013	125:22-126:03			
DEF COUNTER Altongaga ´	DEF COUNTER Altonaga, Bill 10/22/2013 Altongaga 10.22.13	126:01-126:03	Sustain	FRE 403: testimony is already contained in Plaintiff's affirmatives so results in undue delay, waste of time and needless presentation of cumulative evidence	

DESIGNEE	DEPONENT	DESIGNATIONS	BILLING	OBJECTION	BESDONSES TO OBJECTIONS
PLAFFIRM	Altonaga, Bill 10/22/2013	135:20-136:18			
PLAFFIRM	Altonaga, Bill 10/22/2013	137:02-137:22	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, tilt and embedement. His filter is still implanted and he is at risk for fracture in the future.
PLAFFIRM	Altonaga, Bill 10/22/2013	138:04-138:21	Overrule	(138:17-21) Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outvueighed by any prejudicial effect, Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture and further perforation in the future. The potential complication is relevant as Mr. Peterson is at risk of it due to the filter perforating his IVC.
PL AFFIRM	Altonaga, Bill 10/22/2013	142:10-142:17			
PLAFFIRM	Altonaga, Bill 10/22/2013	149:08-150:11	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the foot context of the entire filter-line development. Testimony regarding the Recovery filter somplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure undes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.
PL AFFIRM	Altonaga, Bill 10/22/2013	152:06-152:14			
PL AFFIRM	Altonaga, Bill 10/22/2013	152:16-152:20			
PL AFFIRM	Altonaga, Bill 10/22/2013	152:24-153:11			
PL AFFIRM	Altonaga, Bill 10/22/2013	153:17-153:20			
DEF COUNTER	Altonaga, Bill 10/22/2013	154:05-154:12	Overrule	FRE 403: The answer to the question posed is not designated. Accoridngly, the question is not relveant and is misleading.	
DEF COUNTER	Altonaga, Bill 10/22/2013	155:04-155:10	Overrule	FRE 403: The question answered by the witness is not designated. Accordingly, the answer is not reliveant and is misleading as the corresponding question isn't designated.	
PL AFFIRM	Altonaga, Bill	157:19-158:06			
PL AFFIRM	Altonaga, Bill 10/22/2013	158:10-158:21			
PL AFFIRM	Altonaga, Bill 10/22/2013	158:23-159:03			
PL AFFIRM	Altonaga, Bill 10/22/2013	160:23-161:06 Start at "I never"			
PL AFFIRM	Altonaga, Bill 10/22/2013	168:05-168:09			
PL AFFIRM	Altonaga, Bill 10/22/2013	168:12-168:13			
PL AFFIRM	Altonaga, Bill 10/22/2013	169:21-170:04			
Altongaga 10 220/£3/2013	Altonaga, Bill 0 22 0 123 2013	170:07-170:10			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSI	RESPONSES TO OBJECTIONS
PL AFFIRM	Altonaga, Bill	170:12-170:13			
	10/22/2013				
PL AFFIRM	Altonaga, Bill	179:07-179:13			
	10/22/2013				
PL AFFIRM	Altonaga, Bill	179:20-180:07			
	10/22/2013				
DEF COUNTER	Altonaga, Bill	180:21-180:22			
	10/22/2013				
PL COUNTER TO	Altonaga, Bill	180:23-181:06	Sustain	Rule 602, Witness does not have personal knowledge of the document.	
COUNTER	10/22/2013				
DEF COUNTER	Altonaga, Bill	182:04-182:06			
	10/22/2013				
PL AFFIRM	Altonaga, Bill	243:16-243:18			
	10/22/2013				
PL AFFIRM	Altonaga, Bill	243:20-244:01			
	10/22/2013				
PL AFFIRM	Altonaga, Bill	251:03-251:06			
	10/22/2013				

DESIGNEE DEF BLANKET OBJECTION	DEPONENT	DESIGNATIONS	RULING	Defendants object to the presentation of any and all deposition testimony from Defendants object to the presentation of any and all deposition testimony from Dr. Asch pursuant to Rules 401, 402, and 403. Dr. Asch's only involvement was in conducting a clinical trial involving the Recovery filter — It involves the QSA filter, which was Bard's filter two generations after Recovery. Dr. Asch's clinical trial is not pertinent to the G2X filter, particularly given that Bard conducted a clinical trial known as the Everest filter, which involved the second generation/G2 filter, years after Dr. Asch's study and years before Mr. Peterson's filter and issues related thereto, this testimony pertains only to the Recovery filter and issues by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	RESPONSES TO OBJECTIONS In response to this objection The Plaintiffs' adopt and incorporate by reference his response to this objection The Plaintiffs' adopt and incorporate by reference his response in opposition to C.R. Bard, Inc. and Bard Peripheral Vascular, Inc. s Motion in Limine to Exclude Testimony and Evidence of Recovery Filter Migration Deaths and in support. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter a complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure moded has occurred; however, M. N. Peetrson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	12:09-13:06	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All C2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	13:16-14:22			
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	15:06-16:09	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). As demonstrated herein above the paralts and proving from this witness is relevant to the defect in the design of the filter and paralts can be above to the paralts of the size of the filter and paralts can be a supported by Bard).
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	16:13-16:15 beginning with "Yes, there were"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). As demonstrated herein above the testimony from this witness is relevant to the defect in the design of the filter and Bard's coaling and the statements.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	17:09-17:24 beginning with "Why was this"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). As demonstrated herein above the Extra properties of the filter and Bard's continuory from this witness is relevant to the defect in the design of the filter and Bard's continuous from the second continuous properties.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	18:07-18:14	Overrule	18:12-18:14-Rule 611(c) Leading question of witness on direct; Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). As demonstrated herein above the Bard's nowlifering from this witness is relevant to the defect in the design of the filter and Bard's coalines.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	18:16-18:17	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). As demonstrated herein above the Earlsmony from this witness is relevant to the defect in the design of the filter and Bard's coaling and the statements.
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	19:02-19:09	Overrule	FRE 801 & 802: hearsay	
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	19:24-21:06 beginning with "would you call"	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article disclasses research was supported by Bard)). As demonstrated herein above the testimony from this witness is relevant to the defect in the design of the filter and Bard's copiline.
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	22:04-23:06			
sch 5.2.16					7

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	23:07-23:09	Overrule	Rule 611 assumes facts not in evidence, Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighted by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11.4; 110.6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The question does not assume that purpose of study was to obtain FDA clearance – just asks if he was told this; in any event, other testimony and evidence will establish that this study was in fact conducted for and included as part of Bard's submission for FDA 510(k) clearance (e.g., vilerling Deposition, 25:13-27:20 Exhibit 212 (Bard's 510(k) submission including Asch data); 182 9-186:16 As demonstrated herein above the testimony from this witness is relevant to the defect in the design of the filter and Bard's negligence.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	23:11-24:03	Overrule	24:01-24:02-Rule 611(c) Leading question of witness on direct; Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). As demonstrated herein above the testimony from this witness is relevant to the defect in the design of the filter and
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	24:05-26:02	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's probative value outweighed by prejudicial effect, 24,104 vol. 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect. 28:10-28:12. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11-41.10.6-24); Ex. 209 (Pr. Asch's published article discloses research was supported by Bard)). The testimony involves the study submitted to FDA to get clearance for the Recovery; testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41.19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks possed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See report of Dr. Hull.
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	25:18-26:20 subject to objection	Overrule	FRE 403: testimony is already contained in Plaintiff's affirmatives so results in undue delay, waste of time and needless presentation of cumulative evidence	
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	26:08-28:13	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puntitive damages claim dismissed, 5:082-8:113-Rules 401, 402, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. 28:10-28:12. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11-14; 110.5-24); Ex. 209 (Ir. Asch's published article discloses research was supported by Bard)). The testimony involves the study submitted to FDA to get clearance for the Recovery; testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41.19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks possed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See report of Dr. Hull.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	28:15-29:15	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Band to perform a study he is being questioned about (14.11-4; 1106-24); Ex. 200 Pr. Asch's published article discloses research was supported by Bard)). The testimony involves the study submitted to FDA to get clearance for the Recovery; testimony explains why Dr. Asch thought he could rust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks possed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See report of Dr. Hull.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	29:22-30:14	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's pulished article discloses research was supported by Bard)). The testimony involves the study submitted to FDA to get clearance for the Recovery; testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	31:05-31:10	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. 31 9-31:10-(Additional objection) Rule 611(c) Leading question of witness on direct	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony involves the study submitted to FDA to get clearance for the Recovery; testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. Not a leading question; witness is identified with adverse party.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	31:12-32:03	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particulanty with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response stated at Row 2 as though fully set forth herein. The witness is identified with adverse party. The witness was paid by Bard to perform a study he is being questioned about [14:11-14; 110:6-24; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21). As demonstrated herein above the testimony from this witness is relevant to the defect in the design of the filter and Bard's negligence.
PL AFFIRM	Asch, Muray R. M.D. 05/02/2016	32:11-37:09 beginning with "Dr. Asch,"	Overrule	36:05-37:09-Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Paintiff adopts and incorporates his response stated at Row Z as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11-14, 110.6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41.19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See report of Dr. Hull.
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	34:15-34:21 subject to objection	Sustain	FRE 403: testimony is already contained in Plaintiff's affirmatives so results in undue delay, waste of time and needless presentation of cumulative evidence	
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	37:16-38:02	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. 37:16-37:18 (Additional objection) Rule 611(c) Leading question of witness on direct. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial on direct. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony regarding other incidents or lawsuits is not relevant because there is no showing of substantial similarity.	Plaintiff adopts and incorporates his response stated at Row Z as though fully set forth herein. Not a leading question (answer not suggested by question); witness is identified with adverse party. The witness was paid by Bard to perform a study he is being questioned about (14.11-14, 1106-2-1); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch throught he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull. The negligent design, testing and development of the Recovery filter was substantially similar to the negligent design, testing and development of the filter at issue and thus substantially similar failures occurred - migration, fracture, and perforation. Defendants therefore misconstrue, in the meaning of "conditions operating to produce the prior failures."
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	38:07-38:17			
р ден ви	Asch, Murray R. M.D. 05/02/2016	38:18-39:01	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony regarding other incidents or lawsuits is not relevant because there is no showing of substantial similarity.	Plaintiff adopts and incorporates his response stated at Row Z as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14:1106-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard). The testimony explains why Dr. Asch though he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks possed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull. The negligent design, whether each development of the Recovery filter was substantially similar to the negligent design, testing and development of the GH2X filter and thus substantially similar failures occurred - migration, fracture, and perforation. Defendants therefore misconstrue, in the meaning of "conditions operating to produce the privarier and proporting to produce the privarier and produce the privariers."
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RESPONSES TO OBJECTIONS	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could rusts Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dealgerous and whether Bard acted negligently. See Report of Dr. Hull. The dealigent design testing and development of the Recovery filter was substantially similar to the negligent design, testing and development of the GH2X filter and thus substantially similar failures occurred - migration, fracture, and perforation. Defendants therefore misconstrue, in the meaning of "conditions operating to produce the prior failures."		Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Aparh's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns fracture. Fracture is certainly at issue in this seas and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligenty. See Report of Dr. Hull. The negligent design, testing and development of the Recovery filter was substantially similar to the negligent design, testing and development of the Recovery filter at issue and thus substantially similar failures accurred - migration, fracture, and perforation. produce the prior failures."	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. Not a leading question (answer not suggested by question), whreas is identified with adverse party. The witness was paid by Bard to perform a study he is being questioned about (14.11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are reclainly at issue and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently, see Report of Dr. Hull.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. Not a leading question (answer not suggested by question), whitess is identified with adverse party. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14: 110:6-24); Ex. 209 (Dr. Aach's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.
OBJECTION	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard a conduct related to the Recovery Filter. Trrelevant and any probative value outweighed by prejudicial effect, particularly with plantiff spunitive damages claim dismissed. Rules 401, 402 & 403-irrelevant and Unfairty Prejudicial. Testimony regarding other incidents or lawsuits is not relevant because there is no showing of substantial similarity.	FRE 403: testimony is already contained in Plaintiff's affirmatives so results in undue delay, waste of time and needless presentation of cumulative evidence	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 601,602 & 612. Lacks foundation, whitess does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages daim dismissed.	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, 4.0.4-4.106. Rule 6.11(c) Leading question of witness on direct. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, 41.08. Rule 611(c) Leading question of witness on direct. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.
BIIIING	Overrule	Sustain	Overrule	Overrule	Overrule	Overrule
DESIGNATIONS	39:12-40:05	40:02-40:05 subject to objection	40:19-40:20	40:22-41:06	41.08-41:21	42:12-42:19
DEDONENT	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016
DESIGNEE	PL AFFIRM	DEF COUNTER	PL AFFIRM	PLAFFIRM	PLAFFIRM	PL AFFIRM

~	FRE 701: opinion testimony by lay witness.	Overruie	1	05/02/2016	10 sch 5 7 16
		Chimagon	65:12-65:15	Asch, Murray R. M.D.	DEF COUNTER
			64:24-65:04	Asch, Murray R. M.D.	DEF COUNTER
			62:14-62:19	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
	FRE 401, 402 & 403: which filters this witness used and when is not relevant to this case he has not been designated as an expert	Overrule	61:22-62:04	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
	FRE 401, 402 & 403: whether this witness still implants filters is not relevant to this case he has not been designated as an expert	Overrule	60:02-60:04	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
			58:11-58:14	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
	FRE 401, 402 & 403: not relevant; FRE 608: evidence of truthful character is admissible only after the witness's character for truthfulness has been attacked.	Sustain	57:21-58:03	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
			57:10-57:12	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
			56:13-56:20	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
			50:12-50:18	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
			49:24-50:03	Asch, Murray R. M.D. 05/02/2016	DEF COUNTER
Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could frust Bard to deal with design issues (see 41:19-21); The testimony also concerns migration and fracture. Fracture is extrainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risk posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, 46:15-46:22-Rules 401, 402 and 403. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Overrule	45:13-46:22	Asch, Murray R. M. D. 05/02/2016	PL AFFIRM
Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row Z as though fully set forth herein. Not a leading question (answer not suggested by question); witness is identified with adverse party. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (ID. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull. The negligent design, testing and development of the filter was substantially similar to the negligent design, testing and development of the filter at issue and thus substantially similar failures occurred - migration, fracture, and perforation. Defendants therefore misconstrue, in the meaning of "conditions operating to produce the prior failures."	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, 45.11. Mischaracterizes testimony at 45.03-45.10. Rule 611(c) Leading question of witness on direct. Rules 404, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Overrule	45:03-45:11	Asch, Murray R. M.D. 05/02/2016	PL AFFIRM
Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11-14; 110:6-24); Ex. 209 (Dr. Ascrib published article discloses research was supported by Bard). The testimony explains why Dr. Ascrib thought he could trust Bard to deal with design issues (see 41.19-21); testimony also concerns fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Overrule	44:19-45:01	Asch, Murray R. M.D. 05/02/2016	PL AFFIRM
	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed.	Overrule	43:10-44:13	Asch, Murray R. M.D. 05/02/2016	PL AFFIRM
RESPONSES TO OBJECTIONS Plaintiff adopts and incorporates his response to the Defendants' objections	OBJECTION Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure	RULING Overrule	DESIGNATIONS 43:10-44:13	DEPONENT Asch, Murray R. M.D.	DESIGNEE PL AFFIRM

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Asch, Murray R. M.D.	65:18-70:02	Overrule	65:18-67:18: FRE 401, 402 & 403: relevance; 66:19-4: FRE 801 & 802: hearsay;	
	05/02/2016			67:5,18 & 69:22-70:2: FRE 701: opinion testimony by lay witness; 65:18-67:18: FRE611(b): bevond scope of direct.	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	70:17-71:16	Overrule	71:13-19: assumes facts not in evidence	
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	72:18-73:01 beginning with "you do not know"	Overrule	Rule 401, 402 and 403	The testimony is relevant as the safety and effectiviness of the IVC filter is at issue.
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	73:09-73:19			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	75:15-76:02 end at "is clear"	Overrule	75:21-76:2: FRE 701: opinion testimony by lay witness; FRE 401, 402 & 403: this witness is opinion not relevant; optional completeness: need to add last sentence of answer at 76:3-5.	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	80:10-80:13			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	81:14-87:19	Overrule	82:2-84:10 & 86:20-87:19: FRE 701: opinion testimony by lay witness; 86:20-87:19: lack of foundation; FRE 602; FRE 403 - see 86:18-19 (witness testifies his opinion on cause of this migration was a hypothesis and he did not know for certain); if 87:15-19 is played, 87:20-88:7 should be added as optional	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	88:08-88:16	Overrule	88:8-12: FRE 701: opinion testimony by lay witness	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	88:21			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	89:06-89:23	Overrule	88:8-12: FRE 701: opinion testimony by lay witness	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	90:02-92:11	Overrule	90:3-6, 90:15-19, 90:23-91:3 & 92:2-11: FRE 701: opinion testimony by lay witness; 92:8-11: FRE 601, lack of foundation and calls for speculation as to what medical community kney: FRE 401, 402 & 403: whether migration was a known complication of other filters is not relevant.	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	92:13	Overrule	FRE 701: opinion testimony by lay witness; FRE 601, lack of foundation and calls for speculation as to what medical community knew; FRE 401, 402 & 403: whether migration was a known complication of other filters is not relevant.	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	92:15-94:05	Overrule	92:15-19: statements/testimony by counsel that are not relevant and not part of question; 93:23-94:5	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	94:07			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	94:09-94:18			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	95:05-96:08 subject to objection			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	96:10-96:12 subject to objection	Sustain	optional completeness: add 96:13-19	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	96:20-100:13 subject to objection	Sustain	98:21-24 & 99:7-16: FRE 602, lack of foundation & FRE 401, 402 & 403: not relevant	
PL COUNTER TO	Asch, Murray R. M.D. 05/02/2016	105:21-106:02 subject to objection			
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	106:03-106:13 subject to objection	Overrule	106:3-6 & 10-13: FRE 401, 402 & 403: which filters this witness used is not relevant to this case: he has not been designated as an expert	
PL COUNTER TO COUNTER	Asch, Murray R. M.D. 05/02/2016	110:06-110:24 beginning with "who"			
PL COUNTER TO COUNTER	Asch, Murray R. M.D. 05/02/2016	111:17-112:01 beginning with "did they"			
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	115:04-115:11 beginning with "So if Bard" Redact "causing deaths and" at line 7	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (0r. Asch's published article discloses research was supported by Bard). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); The testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.

DECIGNEE	DEDONENT	DECICNATIONS	DITTING	OBJECTION	DECEDINCES TO OBJECTIONS
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	115:13-115:14 115:13-115:14 Redact "deaths" from line 22	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	plantiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. Not a leading question (answer not suggested by question); witness is identified with adverse party. The witness was paid by Bard to perform a study he is being questioned about (14.11-14, 110.6-24); x. 209 (Dr. Asch's published article discloses research was supported by Bard). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41.19-21); The testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.
PLAFFIRM	Asch, Murray R. M.D. 05/02/2016	116:02-116:14	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why br. Asch thought he could trust Bard to deal with design issues (see 41:19-21); The testimony is relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. The testimony is relevant to the issue of consumer expectations.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	116:16-116:23	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); The testimony is relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. The testimony is relevant to the issue of consumer expectations.
PLAFFIRM	Asch, Murray R. M.D. 05/02/2016	117:01-117:05	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought he could trust Bard to deal with design issues (see 41:19-21); The testimony is relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. The testimony is relevant to the issue of consumer expectations.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	118:08-118:13	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 611. assumes facts not in evidence. Rule 611(c) Leading question of witness on direct. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Band's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, and 403 + testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 401, 402. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. Not a leading question (answer not suggested by question), witness is identified with adverse party Rules 601/602 & 612: witness knows if he was told this; re 611: other evidence establishes that Bard's consultant had made this determination (e.g., BPVE-01-01019821- 25, Ex. 17 to Gillette deposition).
PLAFFIRM	Asch, Murray R. M.D. 05/02/2016	118:15-119:02	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 611 assumes facts not in evidence. Rule 611(c) Leading question of witness on direct. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know, would expect a manufacturer to tell him/her. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. Not a leading question (answer not suggested by question); witness is identified with adverse party Rules 601/602 & 612: witness knows if he was told this; re 611: other evidence establishes that Bard's consultant had made this determination (e.g., BPVE-01-01019821- 25, Ex. 17 to Gillette deposition).
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	118:16-119:02 begin with "In fact," subject to objection	Sustain	answer designated with no question; FRE 602; lack of foundation; hearsay; FRE 401, 402 & 403	
COUNTER TO	Asch, Murray R. M.D. 05/02/2016	119:18-119:21 beginning with "This is" 120:01-120:42			
Asch 5 2 16					

RESPONSES TO OBJECTIONS	licial evidence Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to the Plaintiff stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony explains why Dr. Asch thought the could trust Bard to deal with design issues (see 41:19-21); testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently.		The testimony is not hearsay. The witness is not testifying about an out of court statement.	The testimony is not hearsay. The witness is not testifying about an out of court statement.	licial evidence Plaintiff adopts and incorporates his response to the Defendants' objections and any stated at Row 2 as though fully set forth herein. The witness was paid by Bard to the Plaintiff's perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article disloses research was supported by Bard)). The testimony lards' knowledge of the study.	a			licial evidence Diaintiff adonts and incornorates his resonorse to the Defendants' objections	υ	n di	u a a	u u u
OBJECTION	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.		Rules 801/802 Testimony is hearsay	Rules 801/802 Testimony is hearsay	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puritive damages claim dismissed.				Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen.	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any possible bard so modure related to the Recovery Filter. Irrelevant and any punitive damages claim dismissed. Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen. Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen.	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any punitive damages claim dismissed. Punitive damages claim dismissed. Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen. Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen. Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen.
RULING	Overrule relept		Overrule Ru	Overrule Ru	Overrule Ru rei pr pu	Overrule Ru rej pr				Overrule Ru rej pr			
DESIGNATIONS 121:04-121:14 121:16-121:21 121:23-122:04	122:12-122:19	122:22-123:15 beginning with "What is scientific"	127:13-127:17	127:19-127:20	130:06-130:08	130:10	132:23-133:01	133 03		133:13-134:02 beginning with "you clearly"	133:13-134:02 beginning with "you clearly" 136:21-136:22	133:13-134:02 beginning with "you clearly" 136:21-136:22 137:05-137:14	133:13-134:02 beginning with "you clearly" 136:21-136:22 137:05-137:14
DEPONENT Asch, Murray R. M.D. 05/02/2016 Asch, Murray R. M.D. 05/02/2016 Asch, Murray R. M.D.	05/02/2016 Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016		Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. 05/02/2016 05/02/2016 Asch, Murray R. M.D. 05/02/2016	Asch, Murray R. M.D. Asch, Murray R. M.D. O5/02/2016 O5/02/2016 O5/02/2016 O5/02/2016	Asch, Murray R. M.D. Asch, Murray R. M.D. 05/02/2016 05/02/2016 05/02/2016 Asch, Murray R. M.D. 05/02/2016
DESIGNEE PL COUNTER TO COUNTER PL COUNTER TO COUNTER PL COUNTER	COUNTER PLAFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM		PL AFFIRM	PLAFFIRM PLAFFIRM	PL AFFIRM PL AFFIRM PL AFFIRM	PLAFFIRM PLAFFIRM PLAFFIRM

Od.	DEPONENT	DESIGNATIONS	RULING	OBJECTION	BESPONSES TO OBJECTIONS
Asch, Murray R. M.D. 05/02/2016	R. M.D.	138:10-138:11	Overrule	Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen.	It refers to the description of the witness' research study that Bard included in its Bard's 510(k) submission to the FDA and asks the author if Bard has accurately represented the study to the FDA. The witness has knowledge of the study he performed for Bard, its purpose and limitations and is well qualified to comment the decimants in sociated.
Murray 5/02/20	Asch, Murray R. M.D. 05/02/2016	138:13-138:16	Overrule	Rule 601, 602 and 612 - the witness does not have personal knowledge of the document. This is an internal Bard document that the witness has not seen.	It refers to description of the witness' research study that Bard included in its Bard's 510(k) submission to the FDA and asks the author if Bard has accurately represented the study to the FDA. The witness has knowledge of the study he performed for Bard, its purpose and limitations and is well qualified to comment
, Murray R. I 05/02/2016	Asch, Murray R. M.D. 05/02/2016	139:10-140:05 beginning with "we have:"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adouts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-14); Ex. 209 (Dr. Asch's published article discloser research was supported by Bard)). The testimony concerns perforation. Perforation is certainly at issue in this case and evidence of the issues realaed to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.
, Murray R. l 05/02/2016	Asch, Murray R. M.D. 05/02/2016	142:05-142:09 beginning with "wouldn't you"	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Askris bublished article discloses research was supported by Bard)). The testimony parabase that changes the process research was supported by Bard)].
Murray 5/02/20	Asch, Murray R. M.D. 05/02/2016	142:11-142:13	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Askris bublished article discloses research was supported by Bard)). The testimony pagings the principle of the study of the study of the study are the study of the stud
os/02/2016	Asch, Murray R. M.D. 05/02/2016	145:12-145:15	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony concerns perforation. Perforation is certainly at issue in this case.
, Murray R. I 05/02/2016	Asch, Murray R. M.D. 05/02/2016	145:22-146:01	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony concerns perforation. Perforation is certainly at issue in this case.
, Murray R. I 05/02/2016	Asch, Murray R. M.D. 05/02/2016	146:20-147:02	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asck) sublished article discloses research was supported by Bard)). The testimony repairses the findings by Dr. Asch.
/urra 5/02/2	Asch, Murray R. M.D. 05/02/2016	147 04 Ending with "Absolutely"	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Askris bublished article discloses research was supported by Bard)). The testimony propagate the facilities have A such
05/02/2016	Asch, Murray R. M.D. 05/02/2016	150:10-150:20	Sustain	Lacks foundation. Rule 701. Testimony is expert opinion by a lay witness. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14, 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard). The testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.
05/02/2016	Asch, Murray R. M.D. 05/02/2016	160:17-161:04	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive danages claim dismissed. Rules 401, 402, 403—Testimony relates to irrelevant and prejudicial evidence regarding Bard sconduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Further, as Judge Campbell recognized in the MDL, what Dr. Asch wants to share is not relevant.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about [44:11-44; 110:6-24]; Ex. 209 (Dr. Asch's published article discloses research was supported by Bard). The testimony also concerns mogration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.

DESIGNEE	DEPONENT		RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFHRIM	Asch, Murray K. M.D. 05/02/2016	164:07-164:10 beginning with "I want"	nstan	Kules 401, 402, 403. Lestimony does not invoive fitter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial reffect, particularly with Plaintiff is punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. What Dr. Asdch wants to share with the jury is not relevant. As a witness, his role is to answer the questions posed.	Plaintiff adopts and incorporates his response to the Derendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony realates the findings by Dr. Asch.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	164:12-165:24	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintifs punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. What Dr. Asch wants to share with the jury is not relevant. As a witness, his role is to answer the questions posed.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The Witness was paid by Bard to perform a study he is being questioned about (14.11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony realates the findings by Dr. Asch.
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	168:18-168:22	Overrule	FRE 602 & lack of foundation: see 71:11-13 - witness has not reviewed this document)	
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	169:03-169:10	Overrule	FRE 602 & lack of foundation: see 71:11-13 - witness has not reviewed this document and has no basis to testify as to what Bard told the FDA)	
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	169:19-169:22	Overrule	FRE 602 & lack of foundation: see 71:11-13 - witness has not reviewed this document and has no basis to state what the FDA was advised of)	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	170:11-171:24 ends at "do not".	Sustain	FRE 611(b): beyond the scope of direct examination; 170:18-171:21: counsel is reading from document that witness does not recall seeing (171:22-24): hearsay; lack of personal knowledge; FRE 602; FRE 401, 402 & 403.	
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	173:07-174:02 end at "Asch"	Sustain	PRE 611(b): beyond the scope of direct examination; counsel is reading from document that witness has no personal knoweldge of: hearsay, lack of personal knowledge FRE 602 FRE 401 407 & 403	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	174:09-174:13	Sustain	FRE 611(b): beyond the scope of direct examination; counsel is reading from document that witness has no personal knoweldge of: hearsay, lack of personal knowledge FRE 610.7 RE 401.407.8, 403.	
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	175:05-175:18	Sustain	FRE 611(b): beyond the scope of direct examination	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	176:03-176:05	Sustain	FRE 611(b): beyond the scope of direct examination; counsel is reading from document that witness has no personal knoweldge of (see 175:8-13): hearsay; lack of personal knowledge FRE 602 FRE 401 402 & 403	
VEF COUNTER	Asch, Murray R. M.D. 05/02/2016	176:09-176:18	Sustain	FRE 611(b): beyond the scope of direct examination; counsel is reading from document that witness has no personal knoweldge of (see 175:8-13); hearsay; lack of personal knowledge; FRE 602; FRE 401, 402 & 403; optional completeness: add 176:19-178.	
COUNTER TO	Asch, Murray R. M.D. 05/02/2016				
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	178:02-178:18 begin at "You"	Sustain	178:2-10: FRE 701: opinion testimony by lay witness	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016		Overrule	optional completeness: add 178:21 which was part of the question	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	182:13-182:14			
JEF COUNTER	Asch, Murray R. M.D. 05/02/2016	182:23-183:11			
EF COUNTER	Asch, Murray R. M.D. 05/02/2016	184:07-184:15 subject to objection			
VEF COUNTER	Asch, Murray R. M.D. 05/02/2016	184:21-185:04 subject to objection Redact 185:21-"and/or	Overrule	FRE 602 & lack of foundation: see 71:11-13 - witness has not reviewed this document and has no basis to state what was in Bard's submission to the FDA)	
VEF COUNTER	Asch, Murray R. M.D. 05/02/2016	185: subject	Sustain	FRE 611(b): beyond the scope of direct examination; 185:16-23: counsel is reading from document that witness does not recall seeing (185:24-186:2): hearsay; lack of personal knowledge; FRE 602; FRE 401, 402 & 403; 186:11-14; counsel is testiying and witness is agreeing without personal knowledge; lack of personal knowledge; encounsel is knowledge; encounsel is the starting and witness is agreeing without personal knowledge; lack of personal knowledge; encounsel is knowledge; and the starting and witness is agreeing without personal knowledge; lack of personal knowledge; encounsel encounsel.	
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	187:02-187:04	Sustain	FRE 611(b): beyond the scope of direct examination; counsel is testiying and witness is agreeing without personal knowledge: lack of personal knowledge; FRE 602. hearsay	
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	191:14-191:24 beginning with "you would"	Overrule	No exhibit marked. 401, 402 and 403. Witness is testifying about a document that is not admitted in evidence.	The document will be admitted in evidence at the time of trial.
DEF COUNTER	Asch, Murray R. M.D.	193	Overrule	FRE 701: opinion testimony by lay witness; FRE 401, 402 & 403: whether another manufacturer's filter has complications is not relevant	
EF COUNTER	Asch, Murray R. M.D.	196:04-197:04		III an ulacturel 3 iliter 1133 cumpincaturis 13 not refevant.	
7 7 7	05/02/2016				

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Asch, Murray R. M.D. 05/02/2016	197:18-197:22 subject to objection	Overrule	FRE 701: opinion testimony by lay witness; FRE 401, 402 & 403	
PL COUNTER TO	Asch, Murray R. M.D. 05/02/2016	199:24-200:10	Sustain	This designation violates the Court's ruling on the MILs involving Recovery migration deaths.	This is the same testimony Judge Campbell permitted in the Jones trial in response to Bard's soliciting testimony from the witness that he continued to use the Recovery filter after performing his study. (See 106:03-106:13, herein and bench conference from Jones transcript 326:01-330:03 and subsequent testimony from 340:n61
PL COUNTER TO	Asch, Murray R. M.D. 05/02/2016	200:12-200:13			
PL COUNTER TO	Asch, Murray R. M.D. 05/02/2016	200:21-201:05 beginning with "At"			
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	201:18-202:07	Sustain	401, 402, 403. The doctor's "feelings" are not relevant.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony realates the Dr. Asch's experience with Bard.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	202:09-202:11	Sustain	No exhibit marked, 401, 402 and 403. Witness is testifying about a document that is not admitted in evidence.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14:11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard)). The testimony realates the Dr. Asch's experience with Bard and the Bard filters
PL COUNTER TO	Asch, Murray R. M.D. 05/02/2016	206:17-208:01			
PLAFFIRM	Asch, Murray R. M.D. 05/02/2016	208:13-208:21	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puntive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard). The testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.
PLAFFIRM	Asch, Murray R. M.D. 05/02/2016	208:23-209:18	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter.	Plaintiff adopts and incorporates his response to the Defendants' objections stated at Row 2 as though fully set forth herein. The witness was paid by Bard to perform a study he is being questioned about (14.11-14; 110:6-24); Ex. 209 (Dr. Asch's published article discloses research was supported by Bard). The testimony also concerns migration and fracture. Fracture is certainly at issue in this case and evidence of the issues related to migration are relevant to assess all the risks posed by the design in evaluating whether it was unreasonably dangerous and whether Bard acted negligently. See Report of Dr. Hull.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	210:02-210:16	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony goes toward the relationship between Bard, its employees, and Dr. Asch. The testimony futher goes toward the credibility of Bards' employees when testifying about Dr. Asch.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	210:23-210:24	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony goes toward the relationship between Bard, its employees, and Dr. Asch. The testimony futher goes toward the credibility of Bards' employees when testifying about Dr. Asch.
PL AFFIRM	Asch, Murray R. M.D. 05/02/2016	211:02-211:04	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony goes toward the relationship between Bard, its employees, and Dr. Asch. The testimony futher goes toward the credibility of Bards' employees when testifying about Dr. Asch.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Asch, Murray	300:16-300:24			
	05/16/2018	stop after "filter"			
DEF AFFIRM	Asch, Murray 05/16/2018	301:01-301:05			
DEF AFFIRM	Asch, Murray 05/16/2018	302:17-307:15			
DEF AFFIRM	Asch, Murray 05/16/2018	307:19			
DEF AFFIRM	Asch, Murray 05/16/2018	307:24-308:23			
DEF AFFIRM	Asch, Murray 05/16/2018	308:24 ston after 557			
DEF AFFIRM	Asch, Murray 05/16/2018	309:04-311:25			
DEF AFFIRM	Asch, Murray 05/16/2018	312:03-314:05 start with "Do vou"			
DEF AFFIRM	Asch, Murray 05/16/2018	314:10-319:18			
DEF AFFIRM	Asch, Murray 05/16/2018	320:07-322:03			
DEF AFFIRM	Asch, Murray 05/16/2018	322:10-325:19			
PL COUNTER	Asch, Murray 05/16/2018	330:06-331:04	Sustain	Rules 401, 402 and 403. 330:18-22 Rule 801 - Hearsay	This is the same testimony Judge Campbell permitted in the Jones trial in response to Bard's soliciting testimony from the witness that he continued to use the Recovery filter after performing his study. (See bench conference from Jones transcript 326:01-330:03 and subsequent testimony from 330:06-342:08).
PL COUNTER	Asch, Murray 05/16/2018	331:15-333:02	Sustain	Rules 401, 402 and 403. 330:18-22 Rule 801 - Hearsay	This is the same testimony Judge Campbell permitted in the Jones trial in response to Bard's soliciting testimony from the witness that he continued to use the Recovery filter after performing his study. (See bench conference from Jones transcript 326:01-330:03 and subsequent testimony from 330:06-342:08).
PL COUNTER	Asch, Murray 05/16/2018	333:03-333:03 "Display Exhibit"			
PL COUNTER	Asch, Murray 05/16/2018	333:06-333:17			
PL COUNTER	Asch, Murray 05/16/2018	333:20-334:08			
PL COUNTER	Asch, Murray 05/16/2018	334:20-335:12			
PL COUNTER	Asch, Murray 05/16/2018	335:17-335:19 Starting with "This is":			
PL COUNTER	Asch, Murray 05/16/2018	337:10-337:21			
PL COUNTER	Asch, Murray 05/16/2018	337:24-337:25 "Display Exhibit" only			
PL COUNTER	Asch, Murray 05/16/2018	338:02-338:14			
PL COUNTER	Asch, Murray 05/16/2018	338:21-340:12			
PL COUNTER	Asch, Murray 05/16/2018	340:20-341:05			

Baird 6.9.16

Baird, Brett 06/09/2016	77:15-78:11	Sustain Sustain	CBECLION We have been soulded to the decidence of the personal knowledge of document. Withress by shown a document, was not familiar with it and testified document. Withress was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, and 3. The document does not persin to the Eclipse filter, which is the filter at issue in this case. Thus, any possible relevance, which is denied, is outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	REFOUNDED IO DELECTIONS THE GOJ/GOZ: The witness testified to his familiarity with Dr. Lynch in connection with Dr. Lynch's role as a key opinion leader for Bard's marketing activities (76 9-18, see also 46:11-47 9), for which the witness had responsibility (11:6-11). The witness has sufficient personal knowledge to answer all questions in the designated pages/lines here. See also, generally, plainfiff's Response to Defendants' MIL regarding personal knowlege. FRE 612: to the extent the testimony involves a writing used to refresh recollection, Bard was provided a copy of that writing. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. The Eclipse design opty can be understood only in the context of the entire filter-line development. Testimony regarding the GOJ filter s complications is relevant and is not outweighed by any prejudicial effect. J The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.
Baird, Brett 06/09/2016	78:12-78:13			
06/09/2016	78:25-79:03	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstance. Rules 601/602 & 612. Lads foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403. The document does not pertain to the Eclipse filter, which is the filter at issue in this case. Thus, any possible relevance, which is denied is outwelfed by prejudicial effect. Rules issue, irretevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	TRE 601/602: The witness testified to his familiarity with Dr. Lynch in connection with Dr. Lynch's role as a key opinion leader for Band's marketing activities (76 9–18; see also 46:11-47 9), for which the witness had responsibility (11:6-11). The vitness has sufficient personal knowledge to answer all questions in the designated pages/lines here. See also, generally, Plaintiff's Response to Defendants' MIL regarding personal knowlege. FRE 612: to the extent the testimony involves a writing used to refresh recollection, Bard was provided a copy of that wurting. Bard chose to market the Eclipse filter using the 5.10(k) process which relied upon the Recovery filter as the predicate. The Eclipse filter trace its design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding theG2 filter s complications is relevant and is not outweighed by any prejudicial effect. J. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, nigration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.
Baird, Brett 06/09/2016	79:07-79:22	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Nules 601/602 & 612. La64s foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403. The document does not perfain to the Eclipse filter, which is the filter at issue in this case. Thus, any possible relevance, which is denied, is outweighed by prejudicial effect. Rules 16sue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	FRE 601/602: The witness testified to his familiarity with Dr. Lynch in connection with Dr. Lynch's role as a key opinion leader for Bard's marketing activities (76 9–18, see also 46:11-47 9), for which the witness had responsibility (11:6-11). The designated pages/lines here. See also, generally, Plaintiff's Response to Defendants' Mil. regarding personal knowlege to answer all questions in the testimony involves as withing used to refresh recollection, Bard was provided a copy of that writing. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. The Eclipse filter trace its design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Gaffler s complications is relevant and is not outweighed by any prejudicial effect. J. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.

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	FRE 601.02: The witness teatified to his familiarity with Dr. Lynch in connection with Dr. Lynch's role as a key opinion leader for Bard's marketing activities (76 9-18; see also 46:11-47 9), for which the witness had responsibility (11:6-11). The witness has sufficient personal knowledge to answer all questions in the designated pages/lines here. See also, generally, Plaintiff's Response to Defendants' MIL regarding personal knowlege. RE 612: to the extent the testimony involves a writing used to refresh recollection, Bard was provided a copy of that writing. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter and the dericate. The Eclipse design process which relied upon the Recovery filter and the dericate. The Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding theG2 filter s complications is relevant and is not outweighed by any prejudicial effect. J The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.		RE 601/602: The witness testified to his familiarity with Dr. Lynch in connection with Dr. Lynch's role as a key opinion leader for Bard's marketing activities (76 9–18), see also 46:1.4.7 9), for which the witness had responsibility (11:6-11). The witness has sufficient personal knowledge to answer all questions in the designated pages/lines here. See also, generally, Palainffff's Response to Defendants' MIL regarding personal knowlege. RE 612: to the extent the testimony involves a writing used to refresh recollection, Bard was provided a copy of that writing. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. The Eclipse filter trace its design history to the Recovery filter and the defects in the Eclipse filter Testimony regarding theG2 filter s complications is relevant and is not outweighed by any perjudicial effect. I The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.	REE 601/602: The witness teatified to his familiarity with Dr. Lynch in connection with Dr. Lynch's role as a key opinion leader for Bard's marketing activities (76 9-18); see also 46c1.4-7 9), for which the witness had responsibility (11:6-11). The witness has sufficient personal knowledge to answer all questions in the designated pages/lines here. See also, generally, Paliniff's Response to Defendants' MIL regarding personal knowlege. RE 612: to the extent the testimony involves a writing used to refresh recollection, Bard was provided a copy of that writing. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. The Eclipse filter trace its design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding theG2 filter s complications is relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future.		
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BIIING	Sustain		Sustain	Sustain	Sustain	Sustain
DESIGNATIONS	79:23-80:14 beginning "if you" ending "total complaints."	80:14-80:18	80:25-81:11	82:04-82:18	82:24-83:05	83:08-84:05
DEDONENT	Baird, Brett 06/09/2016	Baird, Brett	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016
DESIGNEE	PL AFFIRM	DEF COUNTER	PL AFFIRM	PL AFFIRM	DEF COUNTER	DEF COUNTER

DECICNEE	DEDONENT	DESIGNATIONS	ONLING	MOIECTION	DESDONISES TO OBJECTIONS
PL AFFIRM	Baird, Brett 06/09/2016	91:25-92:17	Overrule	(92:9-92:17) Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	FRE 401,402/403: The testimony is relevant to consumer expectations; see generally Plaintiffs' Response to Bard's MiL discussing the relevance of (and lack of prejudice in) sales/marketing information about the Recovery Filter to consumer expectations for the C2 family. Testimony regarding theG2 filter s complications is relevant and is not outweighed by any prejudicial effect. The complications and Bards' knowledge of the complications are relevant to the Plaintiff's claims. FRE 801,802: None of the questions or answers in this designation are hearsay under FRE 801 (b) because none is an out-of-court statement offered to prove the truth of the matter asserted, further, even if interpreted as hearsay, the statements made by Bard camployees about matters within the scope of their employment are non-hearsay under FRE 801(a)(12)(D).
PLAFHRM	Baird, Brett 06/09/2016	92:21-92:25	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	FRE 401/402/403: The testimony is relevant to consumer expectations; see generally Plaintiffs Response to Bard's MIL discussing the relevance of (and lack of perjeudice in) salesy/marketing information about the Recovery filter to consumer expectations for the G2 family. Testimony regarding theG2 filter s complications is relevant and is not outweighed by any prejudicial effect. The complications and Bards' knowledge of the complications are relevant to the Plaintiff's claims. FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(b) because none is an out-of-court statement offered to prove the truth off the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(a)(2)(D).
DEF COUNTER	Baird, Brett 06/09/2016	93:01-93:07			
PL AFFIRM	Baird, Brett 06/09/2016	93:08-93:25 beginning "nothing specific"	Overrule	(93:13-93:25) Rules 801/802. Document contains hearsay; testimony is hearsay.	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	94:24-95:06	Overrule	Rules 801/802. Document contains hearsay; testimony is hearsay.	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	95:23-96:02 beginning "this is"	Overrule	Rules 801/802. Document contains hearsay; testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	96:24-97:05	Overrule	Rules 801/802. Document contains hearsay; testimony is hearsay.	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(a)(2)(D).
DEF COUNTER	Baird, Brett 06/09/2016	97:06-97:15			
PL AFFIRM	Baird, Brett 06/09/2016	97:25-98:04	Overrule	Rules 801/802. Document contains hearsay; testimony is hearsay. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
DEF COUNTER	Baird, Brett 06/09/2016	101:06-101:08	Sustain	FRE 402/403. Testimony regarding lawyer advertising is irrelevant and prejudicial for the reasons discussed in Plaintiff's omnibus motion in limine.	
PL AFFIRM	Baird, Brett 06/09/2016	101:18-101:23	Overrule	Rules 801/802 Testimony is hearsay	RRE 801/802: None of the questions or answers in this designation are hearsay under RRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)[0].

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Baird, Brett 06/09/2016	102:12-102:16	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PLAFFIRM	Baird, Brett 06/09/2016	103:04-103:06	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	103:11-103:15	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)(b).
PL AFFIRM	Baird, Brett 06/09/2016	104:05-104:07	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	105:05-105:10 beginnning "And you"	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	105:21-106:16 beginning "what's the'	Overrule	Rules 801/802. Testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
DEF COUNTER	Baird, Brett 06/09/2016	107:02-107:09			
DEF COUNTER	Baird, Brett 06/09/2016	107:13-107:22			
PL AFFIRM	Baird, Brett 06/09/2016	107:23-108:07	Overrule	Rules 801/802. Testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
DEF COUNTER	Baird, Brett 06/09/2016	108:11-108:15			
PL AFFIRM	Baird, Brett 06/09/2016	108:18-109:03	Overrule	Rules 801/802. Testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	109:08-109:21			
PL AFFIRM	Baird, Brett 06/09/2016	109:24			
PL AFFIRM	Baird, Brett 06/09/2016	110:01-110:16	Overrule	Rules 801/802. Testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	110:22-111:02			
DEF COUNTER	Baird, Brett 06/09/2016	112:11-112:16			
DEF COUNTER	Baird, Brett 06/09/2016	112:24-114:02			
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Baird, Brett 06/09/2016	114:04-114:18 beginning "Question 6 says'	Overrule	Rules 801/802. Testimony is hearsay.	HRE 801/802: None of the questions of answers in this designation are hearsay burder FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	115:07-115:09 beginning "what does"	Overrule	Rule 611 compound question. Rules 801/802. Testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	115:13			
DEF COUNTER	Baird, Brett 06/09/2016	115:14-115:15			
PL AFFIRM	Baird, Brett 06/09/2016	115:21-115:22			
PL AFFIRM	Baird, Brett 06/09/2016	116:17-118:09	Overrule	Rules 801/802 Testimony is hearsay. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damases claim dismissed	
DEF COUNTER	Baird, Brett 06/09/2016	119:02-119:05	Sustain	Improper designation of a question with no answer by the witness; the lawyer's question is not evidence.	
PL AFFIRM	Baird, Brett 06/09/2016	119:13-119:22 beginning "It goes"	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	119:25-120:02	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	125 06	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	125:09-125:10	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	125:12-125:18 beginning "what did'	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	127:15-127:22	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	127:25-128 06	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Baird, Brett 06/09/2016	128:10-128:15	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	128:18	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	128:23-128:24	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)[0].
PL AFFIRM	Baird, Brett 06/09/2016	129 02	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)[D).
PL AFFIRM	Baird, Brett 06/09/2016	129:04-129 07	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	129:10-129:16	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	129:19-129:25	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)[D).
PL AFFIRM	Baird, Brett 06/09/2016	130 03	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)[D).
DEF COUNTER	Baird, Brett 06/09/2016	130:05-130:10	Sustain	Not responsive to any pending question.	
PL COUNTER TO COUNTER	Baird, Brett 06/09/2016	152:21-153:03			
PL AFFIRM	Baird, Brett 06/09/2016	153:16-154:12	Overrule	Rules 801/802 Testimony is hearsay	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	156:11-157:09 beginning "So let's" ending "prophylactically."	Overrule	Rules 801/802. Testimony is hearsay.	FRE 801/802. None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)(2)(D).
PL AFFIRM	Baird, Brett 06/09/2016	157:14-157:22	Overrule	Rules 801/802. Testimony is hearsay.	FRE 801/802: None of the questions or answers in this designation are hearsay under FRE 801(c) because none is an out-of-court statement offered to prove the truth of the matter asserted; further, even if interpreted as hearsay, the statements made by Bard employees about matters within the scope of their employment are non-hearsay under FRE 801(d)[2)[D).
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Baird 6.9.16

	Case 3.	.19-CV-01701-IVIO	ט	ocum	ent for Filed O	5/03/21 Page 20	01 200
BESDONGES TO OBJECTIONS	FRE 401, 402.4 (303: The testimony is relevant to Bard's knowledge of the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Eclipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of unfair prejudice. FRE 801/802: The testimony in question does not elicit hearsay under 801/gl(2) and because the testimony does not consist of out-of-court statements offered for the truth of the matter; further, the testimony concerns a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).	FRE 401, 402, 403: The testimony is relevant to Bard's knowledge of the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for the Eclipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of unfair prejudice. FRE 801/802: The testimony in question does not elicit hearsay under 801/ql/[2] and because the testimony does not consist of out-of-court statements offered for the truth of the matter; further, the testimony concerns a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).			FRE 401, 402, 403: The testimony is relevant to Bard's knowledge of the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Eclipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of unifar prejudice. FRE 801/802: The testimony in question does not elicit hearsay because the testimony does not consist of out-of-court statements offered for the truth of the matter; further, the testimony concerns a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).	FRE 401, 402, 403: The testimony is relevant to Bard's knowledge of the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Eclipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of undrier prejudice. FRE 801/802: The testimony in question does not elicit hearsay under 801/ql/(2) and because the testimony does not consist of out-of-court statements of freed for the truth of the matter; further, the testimony concens a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).	FRE 401, 402, 403: The testimony is relevant to Bard's knowledge of the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Eclipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of undeir perjudice. FRE 801/802: The testimony in question does not elicit hearsay under 801/gl(2) and because the testimony does not consist of out-of-court statements offered for the truth of the matter; further, the testimony concerns a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).
OBJECTION	E. Testimony is hearsay. Rules 401, 402, 403 – Testimony does not at issue and/or failure mode at issue; Irrelevant and any probative hed by prejudicial effect, particularly with Plaintiff s punitive n dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly stimony regarding Filters "Killing People" is inflammatory and overly	Rules 801/802. Testimony is hearsayRules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairty prejudicial. Testimony regarding Filters "Killing People" is inflammatory and overly prejudicial.		FRE 602/702: The witness lacks personal knowledge or expert qualifications to offer testimony about what information Bard provides to FDA, or to testify that Bard and the FDA work "as a team" to decide what is done with that information.	Rules 801/802. Testimony is hearsay. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Rules 801/802. Testimony is hearsay. Rules 401, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Rules 801/802. Testimony is hearsay. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.
SMIIII	Sustain	Sustain		Overrule	Overrule	Overrule	Overrule
SNOITVIOR	240:14-240:24	241.06-241.09	241:10-241:21	241:24-242:09	242:21-243:07	243:17-244:02 beginning "So you write"	244;20-247;18
DEPONENT	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016	Baird, Brett 06/09/2016
DECIGNEE	PL AFFIRM	PL AFFIRM	DEF COUNTER	DEF COUNTER	PL AFFIRM	PL AFFIRM	PL AFFIRM

DESIGNEE PL AFFIRM	DEPONENT	DESIGNATIONS			
FIRM	:	200000000000000000000000000000000000000	KULING	OBJECTION	RESPONSES TO OBJECTIONS
	Baird, Brett	248:07-248:07	Overrule	Rules 80.1780.1. lestimony is nearsay, Kules 40.1, 40.2.3. I estimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Het 401, 402, 403: The testimony is relevant to bad as knowledge or the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Eclipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of unfair prejudice. FRE 801/802: The testimony in question does not elicit hearsay under 801(d)(2) and because the testimony does not consist of out-of-court statements offered for the truth of the matter; further, the testimony concerns a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).
DEF COUNTER	Baird, Brett 06/09/2016	248:08-249:11	Sustain	Objection to the inclusion of lines 249 8-11, consisting of a question without any answer.	
PLAFFIRM	Baird, Brett 06/09/2016	250:08-250:12	Overrule	Rules 801/802. Testimony is hearsay. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	FRE 401, 402, 403: The testimony is relevant to Bard's knowledge of the properties of its IVC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Edipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of unfair prejudice. FRE 801/802: The testimony in question does not elicit hearsay under 801/gl/2) and because the testimony does not consist of out-of-court statements offered for the truth of the matter; further, the testimony concerns a document admissible under exceptions to the hearsay rule, including FRE 803(6) and 803(18).
DEF COUNTER	Baird, Brett 06/09/2016	250:13-250:25	Overrule	FRE 402, 403: Testimony about SIR guidelines ought to be excluded for the reasons discussed in Plaintiff's omnibus motion in limine. FRE 602/702: The witness lacks personal knowledge or expert qualifications to testify about what information a manufacturer ought to consider in making a risk/benefit assessment pararding its product	
PL AFFIRM	Baird, Brett	260:02-260:15			
PL AFFIRM	Baird, Brett	262:12-262:20			
PL AFFIRM	Baird, Brett 06/09/2016	263:07-264:20	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	FRE 401, 402, 403: The testimony is relevant to Bard's knowledge of the properties of its VIC filter line and the hazards of its filter designs which were incorporated in, and formed the basis or predicate for, the Edipse filter at issue. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt and embedment. His filter is still implanted and he is at risk for fracture in the future. It presents no danger of
PL AFFIRM	Baird, Brett 06/09/2016	264:23-265:13			
DEF COUNTER	Baird, Brett 06/09/2016	265:14-266:24			
PL AFFIRM	Baird, Brett 06/09/2016	267:10-268:07			
PL AFFIRM	Baird, Brett 06/09/2016	268:10-268:11			
DEF COUNTER	Baird, Brett 06/09/2016	320:10-320:20			
PL AFFIRM	Baird, Brett 06/09/2016	323:07-323:13	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony regarding payment from a party is relevant and goes toward the witnesses credibility.
DEF COUNTER	Baird, Brett	324:07-324:22			
PL AFFIRM	Baird, Brett	325:03-325:07	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony regarding payment from a party is relevant and goes toward the witnescentraliality.
PL AFFIRM	Baird, Brett	325:13-325:15	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rule 611(a)(3)	Testimony regentling payment from a party is relevant and goes toward the witnesses readinish.
PL AFFIRM	Baird, Brett	325:18-325:20	Overrule	Rules 401, 402 & 403. Irrelevant and Orfalriy prejudician (18)(3)	Testimony experiment from a party is relevant and goes toward the wirnscene readilities.
PL AFFIRM	Baird, Brett 06/09/2016	325:22-326:01	Overrule	duestoring is argumentative and sources without a 401, 402 & 402 includes and of University prejudicials. Rule 611(a)(3) unesting a rarumentariue and subjects withness to harassement.	wittesses credibility. Witnesses credibility a party is relevant and goes toward the witnesses credibility.
DEF COUNTER	Baird, Brett 06/09/2016	326:02-326:13			
PLAFFIRM Baird 6 9 16	Baird, Brett 06/09/2016	326:14-326:24	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rule 611(a)(3) questioning is argumentative and subjects witness to harassment.	Testimony regarding payment from a party is relevant and goes toward the witnesses credibility.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES T	RESPONSES TO OBJECTIONS
DEF COUNTER	Baird, Brett 06/09/2016	328:12-331:09 (end at "at Bard.")			
DEF COUNTER	Baird, Brett 06/09/2016	333:12-335:13			
DEF COUNTER	Baird, Brett 06/09/2016	335:17-336:01			
DEF COUNTER	Baird, Brett 06/09/2016	336:04-336:25			
DEF COUNTER	Baird, Brett 06/09/2016	338:17-339:16			
DEF COUNTER	Baird, Brett 06/09/2016	339:20-341:03	Overrule	FRE 402: testimony regarding the organization of Bard's sales force, and the number of representatives Bard had, is not relevant to any matter in issue; FRE 403: any nominal probative value of this testimony is outweighed by the danger of thing wasting and ronfusion of the issues.	
DEF COUNTER	Baird, Brett 06/09/2016	341:05-341:16			
DEF COUNTER	Baird, Brett 06/09/2016	341:19-343:08	Overrule	(342:14-343:8): FRE 402/403 - testimony regarding advocacy guidelines should be excluded for the reasons explained in Plaintiff's omnibus motion in limine.	
DEF COUNTER	Baird, Brett 06/09/2016	346:05-348:15	Overrule	(342:14-343:8): FRE 402/403 - testimony regarding advocacy guidelines should be excluded for the reasons explained in Plaintiff's omnibus motion in limine.	
DEF COUNTER	Baird, Brett 06/09/2016	349:07-351:06			
DEF COUNTER	Baird, Brett 06/09/2016	351:09-355:06	Sustain	(354:25-355:6) FRE 402/403: Objection to testimony about lawyer advertising for the reasons discussed in Plaintiff's omnibus motion in limine.	
DEF COUNTER	Baird, Brett 06/09/2016	355:09-358:09	Overrule	(354:25-355:6) FRE 402/403: Objection to testimony about lawyer advertising for the reasons discussed in Plaintiff's omnibus motion in limine. (357:9-15): FRE 602: Witness lacks personal knowledge to testify about whether Bard took complications seriously, tracked and reported them.	
DEF COUNTER	Baird, Brett 06/09/2016	358:11			
DEF COUNTER	Baird, Brett 06/09/2016	366:21-367:16	Sustain	FRE 402/403: whether the witness is aware of any such correction is irrelevant to any matter at issue, further, the questions assume matters not in evidence. To the extent the questions imply that the correction is in some way pertinent to the witness's prior testimony, any probative value in the witness' answers to the questions is outweighed by the danger of confusion and unfair prejudice.	
DEF COUNTER	Baird, Brett 06/09/2016	368:07-369:02			
DEF COUNTER	Baird, Brett 06/09/2016	369:04-369:20			
DEF COUNTER	Baird, Brett 06/09/2016	369:23-370:17			

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	DBJECTIONS
PL AFFIRM		5:04-5:08			
	05/08/2007				
PL AFFIRM	Carr, Robert	5:13-5:14			
	05/08/2007				
PL AFFIRM	Carr, Robert	5:25-6:01			
	05/08/2007				
PL AFFIRM	Carr, Robert	28:09-28:25			
	05/08/2007				

Carr, Rob 10/25/2013	32:02-32:07 32:13-32:15 32:02-32:07 32:13-32:15 32:16-33:08 33:16-33:08 33:16-33:08 33:15-33:25 34:02-34:04 34:10-34:13 40:17-40:23 47:19-47:25 48:05-48:14 51:12-51:25 52:02 52:02 52:05-52:06 57:12-57:14	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
Carr, Rob 10/25/2013 Carr, Rob 10/25/2013	32.02-32:07 32.13-32:15 32.13-32:15 32.13-32:15 32.05-33:08 33.06-33:08 33.15-33:25 34.02-34:04 34.10-34:13 40.17-40:23 47.19-47:25 48:05-48:14 51:22-51:25 52:02 52:05-52:06 57:12-57:14 57:22-57:25	FRE 106 only requires completeness that "in fairness ought to be considered at the same time and time as Plaintiff's designation. The same time as Plaintiff's designation.
Carr, Rob 10/25/2013	32.13-32.15 32.16-33.05 For Completeness 33.06-33.08 33.15-33.25 34.02-34.04 34.10-34:13 40:17-40:23 47:19-47:25 48:05-48:14 51:12-51:25 52:02 52:02 52:05-52:06 57:12-57:14 57:12-57:14	FRE 106 only requires completeness that "In fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
Carr, Rob 10/25/2013 10/25/2013 10/25/2013 10/25/2013 Carr, Rob 10/25/2013	32.16-33.05 For Completeness 33.06-33.08 33.15-33.25 34.02-34.04 34.10-34.13 40.17-40.23 47.19-47.25 48.05-48.14 51.12-51.15 52.02 52.02 52.05-52.06 57.12-57.14 57.12-57.14	FRE 106 only requires completeness that "In fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
	33.06-33.08 33.15-33.25 34.10-34.04 34.10-34.13 40.17-40.23 47.19-47.25 47.19-47.25 52.02 52.02 52.05-52.06 57.12-57.14 57.12-57.25	
	33:15-33:25 34:02-34:04 34:10-34:13 40:17-40:23 47:19-47:25 48:05-48:14 51:16-51:19 51:22-51:25 52:02 52:02 52:05-52:06 57:12-57:14	
	34:10-34:13 34:10-34:13 40:17-40:23 47:19-47:25 48:05-48:14 51:16-51:19 51:22-51:25 52:02 52:05 52:05-52:06 57:12-57:14 57:12-57:14	
	34:10-34:13 40:17-40:23 47:19-47:25 48:05-48:14 51:16-51:19 51:22-51:25 52:02 52:02 52:05-52:06 57:12-57:14 57:12-57:25	
	40.17-40.23 47.19-47.25 48.05-48.14 51.16-51.19 51.22-51.25 52.02 52.02 52.05-52.06 57.12-57.14 57.12-57.25	
	47.19-47.25 48.05-48:14 51.16-51:19 51.22-51:25 52.02 52.02 52.05-52:06 57.12-57:14 57.12-57:14	
	48:05-48:14 51:16-51:19 51:22-51:25 52:02 52:05 52:05-52:06 57:12-57:14 57:12-57:25	
	51:12-51:15 51:22-51:25 52:02 52:05-52:06 57:12-57:14 57:24-57:25	
	52:02 52:02 52:05 52:05 52:05-52:06 57:12-57:14 57:24-57:25	
	52:02 52:05-52:06 57:12-57:14 57:24-57:25	
	52:05-52:06 57:12-57:14 57:24-57:25	
	57:12-57:14 57:24-57:25	
	57:24-57:25	
	0.07 0.07	
	58:02-58:03	
	60:13-60:19	
	70:15-70:25	
	71:02-72:05 For Completeness	FRE 106 only requires completeness that "in fairness ought to be considered at the same time." Defendants have not demostrated why this testimony, in the name of strongs must he considered at the came time as a birtific designation.
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	76:20-76:25	
PL AFFIRM Carr, Rob 10/25/2013	77:02-77:08	
PL AFFIRM Carr, Rob 10/25/2013	90:03-90:09	
PL AFFIRM Carr, Rob 10/25/2013	90:12-90:15	
DEF COUNTER Carr, Rob 10/25/2013	90:16-90:21 For Completeness	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
DEF COUNTER Carr, Rob 10/25/2013	90:24-91:15 For Completeness	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
PL AFFIRM Carr, Rob 10/25/2013	97:22-97:25	
PL AFFIRM Carr, Rob 10/25/2013	98:02-98:09	
	104:07-104:22	
PL AFFIRM Carr, Rob 10/25/2013	114:04-114:06	

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	INS
DEF COUNTER	Carr, Rob	114:07-115:02		FRE 106 only requires completeness that "in fairness ought to be considered at	
	10/25/2013	For Completeness		the same time'. Defendants have not demostrated why this restimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Carr, Rob 10/25/2013	115:15-115:18			
DEF COUNTER	Carr, Rob 10/25/2013	115:19-115:21 For Completeness		FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Carr, Rob 10/25/2013	117:11-117:22			
DEF COUNTER	Carr, Rob 10/25/2013	118:11-118:25 For Completeness		FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Carr, Rob 10/25/2013	120:12-120:20		Rule 602-Witness does not have personal knowledge of the document. See 118:11- 25 and 122:11-123:10	
PL AFFIRM	Carr, Rob 10/25/2013	120:23-120:25		Rule 602-Witness does not have personal knowledge of the document. See 118:11- The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
PL AFFIRM	Carr, Rob 10/25/2013	121:02-121:04		Rule 602-Witness does not have personal knowledge of the document. See 118:11- The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
PL AFFIRM	Carr, Rob 10/25/2013	121:13-121:21		Rule 602-Witness does not have personal knowledge of the document. See 118:11- The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
PL AFFIRM	Carr, Rob 10/25/2013	122:07-122:10		Rule 602-Witness does not have personal knowledge of the document. See 118:11-The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
DEF COUNTER	Carr, Rob 10/25/2013	122:16-123:10 For Completeness		FRE 106 only requires completeness that "in fairness ought to be considered at The testimony of the witness es the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	The testimony of the witness establishes his knowledge under Rule 602.
PL AFFIRM	Carr, Rob 10/25/2013	123:11-123:24 ending with "different"		Rule 602-Witness does not have personal knowledge of the document. See 118:11- 25 and 122:11-123:10	
PL AFFIRM	Carr, Rob 10/25/2013	125:24-125:25		Rule 602-Witness does not have personal knowledge of the document. See 118:11- The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
PL AFFIRM	Carr, Rob 10/25/2013	126:02-126:25		Rule 602-Witness does not have personal knowledge of the document. See 118:11- The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
PL AFFIRM	Carr, Rob 10/25/2013	127 02		Rule 602-Witness does not have personal knowledge of the document. See 118:11- The testimony of the witness establishes his knowledge under Rule 602. 25 and 122:11-123:10	stablishes his knowledge under Rule 602.
DEF COUNTER	Carr, Rob 10/25/2013	149:14-149:18 For Completeness		completeness that "in fairness ought to be considered at dants have not demostrated why this testimony, in the at be considered at the same time as Plaintiff's designation.	The testimony of the witness establishes his knowledge under Rule 602.
DEF COUNTER	Carr, Rob 10/25/2013	149:21-149:23 For Completeness		FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Carr, Rob 10/25/2013	150:02-150:11 For Completeness		FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Carr, Rob 10/25/2013	150:12-150:15			
PL AFFIRM	Carr, Rob 10/25/2013	150:18-150:20			
PL AFFIRM	Carr, Rob 10/25/2013	165:02-165:04			
PL AFFIRM	Carr, Rob 10/25/2013	165 07			
PL AFFIRM	Carr, Rob 10/25/2013	193:05-193:25			

DESIGNEE DEP PLAFFIRM Ca PLAFFIRM 11/1/ PLAFFIRM 11/1/ PLAFFIRM 11/1/ DEF COUNTER Ca DEF COUNTER CA DEF COUNTER CA	Carr, Rob 11/05/2013 Carr, Rob	DESIGNATIONS 83:24 Ending with "Yes."	RULING Overrule	OBJECTION Incomplete answer. Answer after "no" larks nersonal knowledge and is snertlative	RESPONSES TO OBLECTIONS TRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
	4ff, KOD /05/2013 arr, Rob	os.24 Ending with "Yes."	an caracian of the caracian of	incomplete allower. Annowed African Incomplete and is coerulative	ret Joo only requires comprehenss that in railmensy ugin to be considered at same time." Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
	arr, Rob			and is specialized	
	101/10/	83:24	Sustain	Allowel alter in jacks personal niowicuse and is speculative.	
	Carr, Rob	87:24-88:03			
	Carr, Rob	88:05			
	Carr, Rob 11/05/2013	88:07-88:08 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
11/	Carr, Rob 11/05/2013	88:10-88:12 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM Ca	Carr, Rob 11/05/2013	113:08-113:14			
DEF COUNTER CA	Carr, Rob 11/05/2013	113:08-113:14 For Completeness	Sustain	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER Ca	Carr, Rob 11/05/2013	113:19-113:21 For Completeness	Sustain	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER Ca	Carr, Rob 11/05/2013	113:23-114:02 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER Ca	Carr, Rob 11/05/2013	114:04-114:05 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM Ca	Carr, Rob 11/05/2013	134:10-134:20			
	arr, Rob /05/2013	134:23			
PL AFFIRM Ca	arr, Rob /05/2013	135:01-135:02			
PL AFFIRM Ca	arr, Rob /05/2013	135:07-135:08			
	Carr, Rob 11/05/2013	135:10-135:12 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER Ca	Carr, Rob 11/05/2013	135:14 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM Ca	Carr, Rob 11/05/2013	135:15-135:19	Overrule	Incomplete answer. Answer starts on 135:10-14	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
PL AFFIRM Ca	Carr, Rob 11/05/2013	135:21-135:22			
PL AFFIRM Ca	Carr, Rob 11/05/2013	135:24-136:03			
PL AFFIRM Ca	Carr, Rob 11/05/2013	151:08-151:18 Redact 151:12-13 "Serious risks to include death? Up	Sustain	Rule 401, 402 and 403-there is no failure to recall claim in this case.	The fact the Bard did not recall their defective filters goes to Plaintiff's failure to warn claim and shows Bard did not act as a reasonable medical device manufacturer in the same or similar circumstances.
PL AFFIRM Ca	Carr, Rob 11/05/2013	151:20-151:22	Sustain	Rule 401, 402 and 403-there is no failure to recall claim in this case.	The fact the Bard did not recall their defective filters goes to Plaintiff's failure to warn claim and shows Bard did not act as a reasonable medical device manufacturer in the same or similar circumstances.
PL AFFIRM Ca	Carr, Rob 11/05/2013	151:24-152:04	Sustain	Rule 401, 402 and 403-there is no failure to recall claim in this case.	The fact the Bard did not recall their defective filters goes to Plaintiff's failure to warn claim and shows Bard did not act as a reasonable medical device

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DESIGNEE PLAFFIDA	DEPONENT	DESIGNATIONS	SOLING Section 2	con sidt at michallong of carling on a pand the contract	The fact the Bord did not seen! their defective filters made to Daintiffe failure to
INIM	11/05/2013	132.00-132.14	Sustain	RUIE 401, 402 AND 405-CIPET IS NO TAINET O FECAL CIAIN IN UNS CASE.	The fact the batt did not recall then between the batter of remaining the control of the batter of t
PL AFFIRM	Carr, Rob 11/05/2013	152:16-152:24	Sustain	Rule 401, 402 and 403-there is no failure to recall claim in this case.	The fact the Bard did not recall their defective filters goes to Plaintiff's failure to warn claim and shows Bard did not as a reasonable medical device manufacturer in the same or similar circumstances.
PL AFFIRM	Carr, Rob 11/05/2013	153 02	Sustain	Rule 401, 402 and 403-there is no failure to recall claim in this case.	The fact the Bard did not recall their defective filters goes to Plaintiff's failure to warn claim and shows Bard did not act as a reasonable medical device manufacturer in the same or similar circumstances.
PL AFFIRM	Carr, Rob 11/05/2013	191:16-191:22			
DEF COUNTER	Carr, Rob 11/05/2013	192:12-192:16 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Carr, Rob 11/05/2013	192:18-192:22 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Carr, Rob 11/05/2013	193:11-193:15 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Carr, Rob 11/05/2013	193:17-193:20 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Carr, Rob 11/05/2013	193:24-194:02			
PL AFFIRM	Carr, Rob 11/05/2013	194 05 beginning with "We"			
PL AFFIRM	Carr, Rob 11/05/2013	265:09-265:13			
PL AFFIRM	Carr, Rob 11/05/2013	265:15-265:16			
DEF COUNTER	Carr, Rob 11/05/2013	265:18-266:03 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PLAFFIRM	Carr, Rob 11/05/2013	268:05-268:06	Overrule	Rule 602-Witness is not familiar with the document and has not seen it before. See, 268:8-15	This document contains information that the witness should had known or had access to. In addition, under FRE GO2 his testimony establishes his knowledge of the content and substance of the document. As for the Court's MIL order and Defendants objection based on a lack of personal knowledge, Plantiff would show that Mr. Carr was deposed under FRCP 30(b)(6) and as a corporate representative he speaks for the corporation and is required to review sufficient documents and information to address the substance his testimony. "Notably, and because Rule 30(b)(6) expiritly requires a company to have persons testify on its behalf as to all matters reasonably available to it,, the Rule 'implicitly requires persons to review all matters known or reasonably available to (the corporation) in preparation for the Rule 30(b)(6) deposition, in other words, personal provided of the designated subject matter by the selected deponent is of no consequence." Bd. of Trs. of Leland Stanford Junior Unv. v. Tyco Int's Ltds, 253 F.R.D. 524, 526 (C.D. Ca. 2008)citing Sprint Comm'n Co., L.P. v. TheGlobe.com, inc., 736 F.R.D.524, 527–528 (D. Kan. 2006). Thus, Mr. Carr can be required to testify from and based upon content of Bard corporate documents.
DEF COUNTER	Carr, Rob 11/05/2013	268:08-268:15 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	

PLAFHRM PLAFHR	DEPONENT Carr, Rob 11/05/2013	290:16-290:19	RULING Overrule	Rule 602-Witness is not familiar with the document and has not seen it before. See, 268:8-15	RESPONSES TO OBJECTIONS This document contains information that the witness should had known or had access to in addition, under FRE Go his testimony establishes his knowledge of the content and substance of the document. As for the Court's MIL order and Defendants objection based on a lack of personal knowledge, Plaintiff would show that Mr. Carr was deposed under FRC 2010/16) and as a corporate representative the speaks for the corporation and is required to review sufficient documents and information to address the substance his testimony. Notably, and because Rule 30(b)(6) explicitly requires a company to have persons testify on its behalf as to all matters reasonably available to ft the Rule implicitly requires persons to review all matters known or reasonably available to (the corporation) in preparation for the (Rule) 30(b)(6) deposition. In other words, personal knowledge of the designated subject matter by the selected deponent is of no consequence." But of Trs. of Laland Stanford Junior Univ. v. Tyco Ini's Ltds, 253 Fc.N.D. 524, 527 C.D.C. 2008)citing Sprint Commin Co., Liv. v. Theclobe.com, Inc., 236 Ft. N.D. 244, 527 –228 (D. N. a. 2006). Thus, Mr. Carr can be required to testify from and based upon content of Bard corporate documents.
PL AFFIRM	Carr, Rob 11/05/2013	290:21	Overrule	Rule 602-Witness is not familiar with the document and has not seen it before. See, 268:8-15	access to. In addition, under FRE 602 his testimony establishes his known or had access to. In addition, under FRE 602 his testimony establishes his knowledge of the content and substance of the document. As for the Court's MIL order and Defendants objection based on a lack of personal knowledge, Plaintiff would show that Mr. Carr was deposed under FRCP 30(b)(6) and as a corporate representative her peaks for the corporation and is required to reviews sufficient documents and information to address the substance his testimony. "Notably, and because Rule 30(b)(6) explicitly requires a company to have persons testify on its behalf as to all matters reasonably available to it, the Rule "Implicitly requires persons to preparation for the [Rule] 30(b)(6) deposition. In other words, personal knowledge of the designated subject matter by the selected deponent is of no consequence." Bd. of Tr. of Leland Stanford Junior Unv. v. Tyco Int's Ltds, 253 fr.s., 524, 526 (C.D. Ca. 2008)citing Sprint Comm'n Co., Li. v. TheGlobe.com, Inc., 236 F.R.D.524, 527-528 (D. Kan. 2006). Thus, Mr. Carr can be required to testify from and based upon content of Bard corporate documents.
PL AFFIRM	Carr, Rob 11/05/2013	292:04-292:09	Overrule	Rule 602-Witness is not familiar with the document and has not seen it before. See, 268:8-15. This exhibit violates the MIL on Recovery migration death.	This document contains information that the witness should had known or had access to. In addition, under FRE 6D2 his testimony establishes his knowledge of the content and substance of the document. As for the Court's MIL order and Defendants objection based on a lack of personal knowledge, Plaintiff would show that Mr. Carr was deposed under FRCP 30(b)(6) and as a corporate representative he speaks for the corporation and is required to review sufficient documents and information to address the substance his testimony. "Notably, and because Rule 30(b)(6) explicitly requires a company to have persons testify on its behalf as to all matters reasonably available to it, the Rule 'implicitly requires persons to review all matters known or reasonably available to (the corporation) in perparation for the [Rule] 30(b)(6) deposition, in other words, personal knowledge of the designated subject matter by the selected deponent is of no consequence. Bd. of Trs. of Laland Stanford Junior Unv. v. Tyco Int's Ltds, 253 E.R.D. 524, 526 (C.D. Ca. 2008)citing Sprint Commin Co., LP. v. TheGlobe.com, Inc., 236 F.R.D. 524, 527–528 (D. Kan. 2006). Thus, Mr. Carr can be required to testify from and based upon content of Bard corporate documents.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Carr, Rob 11/05/2013	292:11	Overrule	Rule 602-Witness is not familiar with the document and has not seen it before. See, 268:8-15	This document contains information that the witness should had known or had access to. In addition, under FRE 602 his testimnoy establishes his knowledge of the connert and substance of the document. As for the Court's MIL order and Defendants objection based on a lack of personal knowledge. Plaintiff would show that Mr. Carr was deposed under FRCP 30(b)(6) and as a corporate representative he speaks for the corporation and is required to review sufficient documents and information to address the substance his testimony. "Notably, and because Rule 30(b)(6) explicitly requires a company to have persons testify on its behalf as to all matters reasonably available to it, the Rule "implicitly requires persons to review all matters known or reasonably available to the corporation in preparation for the [Rule] 30(b)(6) deposition." In other words, personal knowledge of the designated subject matter by the selected deponent is of no consequence." Bd. of Trs. of Leland Stanford Junior Umv. v. Tyco Int's Ltds, 253 F.R.D. 224, 526 (C.D. Ca. 2008)citing. Sprint Commin Co., L.P. v. TheGlobe.com, Inc., 236 F.R.D. 524, 527–528 (D. Kan. 2006). Thus, Mr. Carr can be required to lestify from and based upon content of Bard corporate documents.
PL AFFIRM	Carr, Rob 11/05/2013	293.04-293.20 beginning with "And did you" Redact "death" (293.9), and "and filter embolization deaths"			
PL AFFIRM	Carr, Rob 11/05/2013	293:22-293:24			

FINE	SINCITAINSISS	OWILLIA	OBIECTION	SINCILIZATION OF SERVICES
				Running regions to defense objections regarding lack of personal knowledge and to the Court's MIL order. Plaintiff would show that Mr. Carr was deposed under FRCP 30(b)(6) and as a corporate representative he speaks for the corporation and is required to review sufficient documents and information to address the substance his testimony. "Notably, and because Rule 30(b)(6) explicitly requires a company to have persons testify on its behalf as to all matters reasonably available to it the Rule 'implicitly requires persons to review all matters known or reasonably available to the corporation] in preparation for the [Rule] 30(b)(6) deposition. In other words, personal knowledge of the designated subject matter busic Unix. v. Tyco Int's Litds, 233 F.R.D. 524, 526 (C.D. Ca. 2008) citing Spring Common Co., LP. v. TheGlobe.com, Inc., 236 F.R.D. 524, 527–528 (D. Kan. 2006).
Carr, Rob 10/29/2014	32:02-32:04	Overrule	Rule 611 compound question. Rule 611 assumes facts not in evidence. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by projudicial effect. The question is vague and misleading, as it is not clear from the designation what brochure is being discussed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether the there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the failure to warm of the substantial risk of fracture, migration and death as associated with the Eclipse rendered the Eclipse fracture, migration and death associated with the Eclipse rendered the Eclipse
Carr, Rob 10/29/2014	32:07-32:08		Rule 611 compound question. Rule 611 assumes facts not in evidence. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect. The question is vague and misleading, as it is not dear from the designation what brochure is being discussed.	uncasonably danaerous. Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether the there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the failure to warn of the substantial risk of fracture, migration and death associated with the Eclipse rendered the Eclipse
Carr, Rob 10/29/2014	32:10-32:19 For Completeness	Sustain	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	шогажопа. В потажопа.
Carr, Rob	74:24-75:06			
Carr, Rob 10/29/2014	75:07-75:09 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Carr, Rob 10/29/2014	75:12 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Carr, Rob 10/29/2014	78:15-78:23	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether the there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the failure to warm of the substantial risk of fracture, migration and death associated with the Eclipse rendered the Eclipse
Carr, Rob	79:14-79:16			
Carr, Rob 10/29/2014	79:20-80:03			
Carr, Rob 10/29/2014	80:04-80:06 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Carr, Rob 10/29/2014	80:10-80:13 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Carr, Rob	82:07-82:18			
Carr, Rob	82:22-82:23			
Carr, Rob 10/29/2014	83:02-83:03			
Carr, Rob 10/29/2014	83:05-83:06			
Carr, Rob 10/29/2014	83:08-83:11			
Carr, Rob 10/29/2014	83:14-83:18			3.6

RESPONSES TO OBJECTIONS																						
OBJECTION RESP																		FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.		FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
RULING																		Overrule	Overrule		Sustain	Sustain
DESIGNATIONS	83:21	83:23-83:24	84:02	84:04-84:08	84:11	84:13-84:14	84:17	84:19-84:20	84:22-85:01	85:04	86:11-87:02	113:22-114:01	114:04-114:05	132:11-132:22	133 02	133:05-133:08	134:07-134:18	134:19-135:03 For Completeness	135:08-135:12 For Completeness	161:21-162:02	164:13-164:14 For Completeness Subject to objection	166:20-166:24 For Completeness
DEPONENT	Carr, Rob 10/29/2014	Carr, Rob 10/29/2014	Carr, Rob 10/29/2014	Carr, Rob 10/29/2014	Carr, Rob 10/29/2014																	
DESIGNEE	PL AFFIRM	DEF COUNTER	DEF COUNTER	PL AFFIRM	DEF COUNTER	DEF COUNTER																

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DESIGNEE	DEPONENT	DESIGNATIONS	RIIING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	10:06-10:07			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	14:25-15:19			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	19:25-20:05			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	27:12-27:20			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	27:21-27:25			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	31:17-31:21	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 27-10-27-20)	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	31:23	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony is presented by Plaintiff on direct (See 32.16.32.19 and 32.22.32.33).	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	31:25	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 32.16 -32.19 and 32.22-32.23).	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	32:16-32:19			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	32:22-32:23			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	34:11-34:13	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 32:16 -32:19 and 32:22-32:23).	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	34:14-35:11			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	35:16-35:18			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	35:20-35:24			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	36:03-36:04	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 32:19 and 32:22-32.23). Subject to the Court's ruling on Plaintiff's objections this testimony would also be cumulative of Bard's offer of 31:17 - 31:21	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	36:05-36:09			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	38:21-40:13			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	43:07-44:03			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	44:17-45:13			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	45:21-46:01 Ending with "Yes, that's correct"			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	46:07-46:08			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	46:17-47:07			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	48:11-48:14			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	51:14-51:20 Ending with "then you couldn't."			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	51:20-51:22	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 36-5-36 9)	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	51:23-52:07			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	60:16-60:20			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	60:25-61:06 Starting with "when you "			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	68:03-68:05			
PL AFFIRM Thanduszko	Chanduszko 10 100 100 1033	68:07			39

Chandusko, Andre Tis771:14 Tis771:14 Chandusko, Andre Tis771:14 Tis771:15 Tis771:15 Tis771:16 Tis771:16 Tis771:16 Tis771:16 Tis771:16 Tis771:17	CONTRACTOR	FIATING	SHOITAINOISE	ONLING	NOITS INCOSE	SINCILIZATION
3 3 3 3 3 3 3 3 3 3	DEF COUNTER	Chanduszko, Andrzej	68:13-68:15	POPING		OBJECTIONS
3 3 4 5 5 5 5 5 5 5 5 5	DEF COUNTER	10/10/2013 Chanduszko, Andrzej	68:17-68:20			
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Activate 69:05-69:06 Overrule 3	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	69:01			
Addrese 69:08-69:09 Overrule 3 Addrese 70:13-70:19 Overrule 3 Addrese 70:21-71:06 Overrule 3 Addrese 71:10-71:14 Overrule 3 Addrese 71:10-71:14 Overrule 4 Addrese 71:10-71:14 Overrule 5 Addrese 71:10-71:14 Overrule 5 Addrese 71:10-71:14 Overrule 6 Addrese 71:10-71:14 Overrule 7 Addrese 71:10-71:14 Overrule 8 Addrese 8 Addrese	DEF COUNTER	Chanduszko, Andrzej 10/10/2013	69:05-69:06	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is washing time. The same testimony is presented by Plaintiff on direct (1see 683-685, 687, 68:22 - 68: 24 & 69:1) and Bands' offer of 68:13 - 68:15 & 68:17 - 68:20	
Addrese 70:13-70:19 Addrese 70:13-70:19 Addrese 70:13-70:19 Addrese 70:17:06 Addrese 70:17:14 Overrule Addrese 71:15-71:16 Addrese 71:15-71:16 Addrese 71:13-71:24 Addrese 71:13-71:24 Addrese 71:13-71:24 Addrese 71:13-71:24 Addrese 71:13-71:25 Addrese 81:02 Addrese 81:02 Addrese 81:02 Addrese 82:01-82:07 Addrese 82:01-82:07 Addrese 82:01-82:08 Addrese 82:11-83:03 Addrese 82:11-83:03 Addrese 82:11-83:04 Addrese 82:11-83:05 Addrese	DEF COUNTER	Chanduszko, Andrzej 10/10/2013	60:69-80:69	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (1see 683- 685, 687, 68:22 - 68: 24 & 69:1) and Bards' offer of 68:13 - 68:20	
Activate 70:21-71:06 Activate 3 Activate 71:07-71:14 Overrule 3 Activate 71:07-71:14 Overrule 3 Activate 71:19 Activate 71:19 Activate 71:19 Activate 71:10-71:24 Activate 71:10-71:24 Activate 71:10-71:24 Activate 71:10-71:24 Activate 71:10-71:24 Activate 81:02 Activate 81:02 Activate 81:02 Activate 81:04-81:15 Activate 81:04-81:16 Activate Activa	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	70:13-70:19			
Andree 71:07-71:14 Overrule 3	PL AFFIRM	Chanduszko, Andrzej 10/10/2013				
Addrese 71:15-71:16 Addrese 71:15-71:16 Addrese 71:21-71:24 Addrese 71:21-71:24 Addrese 71:21-71:24 Addrese 73:13-74:25 Addrese 73:13-74:25 Addrese 73:13-75:23 Addrese 81:02 Addrese 81:02 Addrese 82:01-82:07 Addrese 82:01-82:07 Addrese 82:01-82:07 Addrese 82:11-83:03 Addrese 82:11-83:03 Addrese 82:11-83:03 Addrese 82:11-83:04 Addrese 82:11-83:05 Addrese Addres	DEF COUNTER	Chanduszko, Andrzej 10/10/2013		Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 71:1-71:6 71:15-71:16 71:19-71:24).	
ndrzej 71:19 3 3 addrzej 73:02-73:08 3 addrzej 73:02-73:08 3 addrzej 73:13-74:25 3 addrzej 73:13-75:23 addrzej 75:13-75:23 addrzej 81:02 3 addrzej 82:01-82:07 3 addrzej 82:01-82:07 3 addrzej 82:01-82:07 3 addrzej 84:25-85:08 addrzej 85:11-85:16 3 addrzej 85:11-85:16	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	71:15-71:16			
Activate 71:21-71:24 Activate 3 Activate 73:02-73:08 Activate 73:02-73:08 Activate 73:13-74:25 Activate 73:13-74:25 Activate 73:13-75:23 Activate 81:02 Activate 81:02 Activate 81:02 Activate 82:01-82:07 Activate 82:01-82:07 Activate 82:01-82:07 Activate 82:01-82:07 Activate 83:17-83:22 Activate 84:22-84:23 Activate 85:13-86:02 Activate 85:13-86:02 Activate 85:13-86:02 Activate 83:11-85:16 Activate 85:13-86:02 Activate Activate 85:13-86:02 Activate Activate 85:13-86:02 Activate A	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	71:19			
ndrzej 73:02-73:08 3 ndrzej 73:13-74:25 3 ndrzej 75:13-75:23 ndrzej 75:13-75:23 drzej 81:02 3 ndrzej 82:01-82:07 3 ndrzej 82:01-83:03 3 ndrzej 82:12-83:03 3 ndrzej 84:15-84:20 3 ndrzej 85:11-85:16 3 3 3 ndrzej 85:11-85:16 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	71:21-71:24			
ndrzej 73:13-74:25 adrzej 75:13-75:23 Overrule adrzej 81:02 andrzej 82:01-82:07 andrzej 82:01-83:03 andrzej 82:12-83:03 andrzej 84:15-84:20 andrzej 84:12-84:28 andrzej 84:12-84:28 andrzej 84:12-84:28 andrzej 85:11-85:16	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	73:02-73:08			
ndrzej 75:13-75:23 Overrule andrzej 81:02 andrzej 82:01-82:07 andrzej 82:01-82:07 andrzej 82:01-83:03 andrzej 82:11-83:03 andrzej 82:11-83:03 andrzej 82:11-83:03 andrzej 82:11-83:03 andrzej 82:11-83:10 andrzej 82:11-85:16 andrzej 85:19-86:02	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	73:13-74:25			
3 76:13-76:22 Overrule	DEF COUNTER	Chanduszko, Andrzej 10/10/2013	75:13-75:23	Overrule	Plaintiff objects under Rule 611(b) as the testimony goes beyond the scope of direct examination. The Plaintiff also objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair porjudice, confusing the issues and misleading the jury. See, 76:20 -76:25, Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question. See 76:4 - 76:8. The testimony is	
81:02 81:02 81:04-81:15 81:04-81:15 82:01-82:07 82:01-82:07 82:01-82:07 82:01-82:07 82:01-82:08	DEF COUNTER	Chanduszko, Andrzej 10/10/2013	76:13-76:22	Overrule	Plaintiff objects under Rule 611(b) as the testimony goes beyond the scope of direct examination and Rule 602 as the witness lacks personal knowledge. See 76.4 - 76.8. The Plaintiff also objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the jury. See, 76:20 - 76:25. The testimony is	
ndrzej 81:04-81:15 3 ndrzej 82:01-82:07 3 adrzej 82:21-83:03 3 adrzej 83:17-83:22 3 adrzej 84:22-84:23 adrzej 85:11-85:16 3 adrzej 85:1	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	81:02			
ndrzej 82:01-82:07 3 3 ndrzej 82:12-83:03 3 ndrzej 83:17-83:22 3 ndrzej 84:15-84:20 3 ndrzej 84:25-85:08 0	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	81:04-81:15			
adrizej 82:21-83:03 adrizej 83:17-83:22 adrizej 84:15-84:20 adrizej 84:22-84:23 adrizej 84:25-85:08 adrizej 85:11-85:16 adrizej 85:19-86:02 adrizej 85:19-96:21	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	82:01-82:07			
ndrzej 83:17-83:22 3 ndrzej 84:15-84:20 3 ndrzej 84:22-84:33 ndrzej 84:25-85:08	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	82:21-83:03			
ndrzej 84:12-84:20 3 adrzej 84:22-84:23 ndrzej 84:22-85:08 odrzej 85:11-85:16 3 adrzej 85:19-86:02 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3 3	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	83:17-83:22			
ndrzej 84:22-84:23 ndrzej 84:25-85:08 ndrzej 85:11-85:16 a ndrzej 85:19-86:02 3 ndrzej 90:07-90:21	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	84:15-84:20			
3 3 andrzej 84:25-85:08 Overrule ndrzej 85:11-85:16 adrzej 85:19-86:02 adrzej 90:07-90:21	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	84:22-84:23			
ndrzej 3 ndrzej 3 ndrzej 3	DEF COUNTER	Chanduszko, Andrzej 10/10/2013	84:25-85:08	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is washing time. The same testimony is presented by Plaintiff on direct (See 85:15 - 84:20, 84:22 - 84:23, 85:14 - 85:16 & 85:19 - 86:2).	
ndrzej 3.3 ndrzej 3.3	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	85:11-85:16			
ndrzej .3	PL AFFIRM	Chanduszko, Andrzej 10/10/2013	85:19-86:02			
	DEF COUNTER	Chanduszko, Andrzej 10/10/2013	90:07-90:21			

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING		RESPONSES TO OBJECTIONS
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	122:19-122:23	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the 62, publitifies at significant risk of fracture out to the perforation of her filter which is supported by Palintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Band, an they failure to warn of the substantial risk of fracture, migration, perforation and death associated with the Recovery rendered the Recovery unreasonably dangerous. The witness' testimony is that he was involved in investigating why the Recovery filter migrated.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	125:02-125:15	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates her response to objections to 122-19-122-23. In addition testimony from the Project Leader for the redesign of the Recovery filter whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) that Bard never reached a conclusion as to what was causing migration is relevant to the Plaintiff claims of negligence, defective design.
PLAFFIRM	Chanduszko, Andrzej 10/10/2013	126:09-127:20 Ending with "yes."	Overrule	126:9-126:19)-Nonsensical. There is no question pending and statement from non-questioning counsel. Defendants object to the designation of an answer without a question. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Mules 401, 402, 403. Testimony does not involve filter at issue and/or fallure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff amends the designation to include 126:3-126 9. The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of facture od ue to the perforation of her filter which is supported by Plaintiff's experts. Supported by Plaintiff's expert Dr. McMeeking. Plaintiff's sperts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known were known to Bard, an they failure to warm of the substantial risk of fracture, migration, perforation and death as associated with the Recovery rendered the Recovery uneasonably dangerous. The witness' testimony is that he was involved in investigating why the Recovery filter migrated.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	127:20-127:21	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 127:16 - 127:20 ending with "Yes ")	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	128:08-128:11 (subject to prior objections)			
	Chanduszko, Andrzej 10/10/2013	129:11-129:14	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates her response to objections to 122-19 122-23 and 125:2-135:15. In addition the testimony is related to the recovery filter and testimony from the Project Leader for the redsign of the Recovery whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) that he has no recollection any individual working on determining what was causing the filter to migrate is relevant to the Plaintiff claims of negligence,
	Chanduszko, Andrzej 10/10/2013	129:23-130:04	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 122:19-122:23.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	130:20-130:22	Overrule	The Plaintiff objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the iur., See 76:20 -76:25.	
	Chanduszko, Andrzej 10/10/2013	132:05-132:11 Ending with "right word"	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403, Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value	The testimony involves the Recovery filter, the predicate device for the G2. Institute is a significant risk of fracture o due to the perforation of her filter which is supported by Paintiff's expert. Dr. McMeeking, Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	132:10-132:22	Sustain. Plaintiff shall withdraw 132:10-11.	The Plaintiff objects under Rule 403 as because the testimony presents a danger of confusing the issues and misleading the jury. To resolve any dispute regarding the testimony the Plaintiff will withdraw 132:10 - 132:11 from his designation.	

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	$\overline{}$	RESPONSES TO OBJECTIONS
PL AFFIRM	Chanduszko, Andrzej 10/10/2013		Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Kules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim diemed by prejudicial effect, particularly with Plaintiff's punitive damages	The testimony involves the Recovery filter, the predicate device for the 6.2. plantiff is at significant risk of fracture ou due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking, Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	133:18-134:09	Overrule	The Plaintiff objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the jury. Plaintiff also objects under Rule 602 as the witness lacks personal knowledge of the events he is testifying about. (See 134:6 - 134 9)	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	134:12-134:15	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	140:15-140:19			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	141:19-141:25	Overrule	The Plaintiff objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the jury. Plaintiff also objects under Rule 602 as the witness lacks personal knowledge of the events he is testifying about. (See 141:21 - 141:25). The witness t testimony constitutes hearsay and hearsay within	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	150:24-152:09	Overrule	Lack of foundation. Assumes facts not in evidence. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 4014, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture od due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	153:06-153:12	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Trestimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, Rules 401, 402, 403, Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages	The testimony involves the Recovery filter, the predicate device for the G2. Paintiff is at significant risk of fracture of due to the perforation of her filter which is supported by Paintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	153:13-153:15	Sustain	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 153.6 - 153.12)	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	159:08-159:13	Overrule	sphalad migration in the Recovery filter, which is not an L, 402, 403 – Testimony relates to irrelevant and ing Bard s conduct related to the Recovery Filter. e value outweighed by prejudicial effect, particularly nages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	159:14-159:16	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 1509-150-13)	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	159:24-160:03	Overrule	ephalad migration in the Recovery filter, which is not an 1, 402, 403 – Testimony does not involve filter at issue issue, irrelevant and any probative value outweighed 401, 402, 403 – Testimony relates to irrelevant and ing Bard's conduct related to the Recovery Filter, se value outweighed by prejudicial effect, particularly mages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medicaler lecords establish that the filter perforated her IVC. Practure, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	163:14-163:22	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with paintife ountitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
Chanduszko 10 10 13	10 10 13			With Figures 5 punitive damages claim distrissed.	43

DFSIGNE	DEPONENT	DESIGNATIONS	RHING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFFIRM	Chanduzako, Andrzej 10/10/2013	163:25-164:01	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	+
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	164:03-164:06	Overrule	Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question. The Plaintiff also objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the jury.	
DEF COUNTER	Chanduszko, Andrzej	164:08-164:12	Overrule	Plaintiff adopts and incorporates his objections to 164:3 - 164:6.	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	164:14-164:17	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture od due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking, Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	164:19-164:20	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	170:22-170:23	Overrule	Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question.	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	171:01-171:04	Overrule	Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question.	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	171:06-171:13	Overrule	Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question.	
PLAFFIRM	Chanduszko, Andrzej 10/10/2013	171:23-172:02	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture of due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej	172:03-172:07	Sustain	Plaintiff objects under Rule 602 the witness states he does not have the personal	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	172:10-172:12	Sustain	Another the case of the winder of the personal plantiff objects under Rule 602 the witness states he does not have the personal plantiff objects under Rule 602 the witness states he does not have the personal plantiff objects on the personal plantiff objects on the personal plantiff objects of the personal plantiff objects on the personal plantiff objects of the personal plantiff objects of the personal plantiff objects on the personal plantiff objects of th	
PLAFFIRM	Chanduszko, Andrzej 10/10/2013	172:14-172:19	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture of due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	175:23-176:07	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture of due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking, Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	183:13-184:02 Starting with "But did Bard"			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	184 04			

THE COLUMN	FINDING	SHOITANOISE	ONLING	NOILOIGO	DECENDATE TO OBJECTIONS
DEF COUNTER	Charduszko, Andrzej 10/10/2013	184:06-184:13	Sustain	bjects under Rule 403 as the limited probative value of the Inn, is outweighed by the danger of unfair prejudice, confusing the sleading the jury. The testimony misstates the nature of the testing iscussed in the context of the deposition specifically the witness is sested for stresses placed on a tilted filter, the witness says yes but the testing he referred to would not examine the stress exerted on a teating.	ASSTONACES TO OBJECTIONS
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	190:20-191:07	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an Issue in this case. Rules 401, 402, 403 – Trestimony does not involve filter at issue parad/or the failure mode at issue; Irrelevant and any probative value outweighed and/or the failure modes at issue; Irrelevant and any probative walue to issue and/or failure modes at issue; Irrelevant and any probative value	The testimony involves the Recovery filter, the predicate device for the G2. Paintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Paintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	191:08-192:06		L'alm Aismissan	
PL AFFIRM	Chanduzako, Andrzej 10/10/2013	196:15	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196.17-20). This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or the failure mode at issue; plirrelevant and any probative value outweighed by prejudicial effect.	The testimony involves the Recovery filter, the predicate device for the G2. Paintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	196:17-196:20			
PLAFFIRM	Chanduszko, Andrzej 10/10/2013	196:24-197:03 Starting with "So Its"	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196.17-20). This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Bules 401, 402, 18403 – Testimony does not involve filter at issue and/or the failure mode at issue; pirrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's experty. Lor. McMeeking. Plaintiff's experty, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect. The Exhibit relates to information regarding the project to redesign the Recovery and the witness was the project lead. Plaintiff can use the exhibit to discuss the methrers raised by his superiors regarding the scope of the work, specifications, the environment the redesigned filter will be exposed to, and specifically the migration resistance testing thought necessary for the project.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	197:19-198:08 Starting with "So let's"	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196.17-20). This testimony relates to cephalad the migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197.3. The testimony at 198:1-198 8 is based upon the witness' personal knowledge.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	198:25-199:11	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196:17-20). This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197:3.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	199:12-199:17	Sustain	Plaintiff objects under Rule 602 the witness does not have the personal knowledge necessary to speculate as to the state of mind of another person. The Plaintiff objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the inventional properties.	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	199:22-199:24	Sustain	6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not with the document (see 196:17-20). This testimony relates to cephalad on in the Recovery filter, which is not an issue in this case. Rules 401, 402, estimony does not involve filter at issue and/or the failure mode at issue; int and any probative value outweighed by prejudicial effect, particularly aintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197:3.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	199:25-200:06	Sustain	Plaintiff objects under Rule 602 the witness does not have the personal knowledge necessary to speculate as to the state of mind of another person. The Plaintiff objects under Rule 403 as the limited probative value of the testimony, if any, is outweighed by the danger of unfair prejudice, confusing the issues and misleading the in.	

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	200:18-200:21	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196:17-20). This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197.3. The testimony at based upon the witness' personal knowledge without reference a specific document.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	200:22-200:25	Overrule	Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question.	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	201:02-201:08	Overrule	Plaintiff objects under Rule 602 the witness states he does not have the personal knowledge necessary to answer the question.	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	201:10-201:17	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196:17-20). This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Kules 401, 402, 403 — Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197:3. The testimony is based upon the witness' personal knowledge without reference a specific document.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	201:19-201:20	Sustain	(Exhibit 6 and testimony) Rules 601 & 602. Lack of foundation. Witness is not familiar with the document (see 196:17-20). This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197:3. The testimony is based upon the witness' personal knowledge without reference a specific document.
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	201:22-201:25			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	204:21-205:04	Sustain	Rules 601, 602 & 612. Lack of foundation. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 196:24 - 197:3. The testimony is based upon the witness' personal knowledge.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	206:03-206:09	Sustain	Rules 601, 602 & 612. Lack of foundation. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony involves the Recovery filter, the predicate device for the G2. Plantiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plantiff's experty. Dr. McNeeking, Plantiff's experty, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the Eclipse filter and are relevant to whether the Eclipse has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	207:12-207:13	Sustain	Rules 601, 602 & 612. Lack of foundation. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 111 8. The witness was the project leader for the redesign of the Recovery filter (34:14 - 35:1) whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) the information that is the subject of the inquiry relates to migration of the Recovery filter and is or should be within the knowledge of the
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	208:06-208:11			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	209:01-209:03	Overrule	Plaintiff objects under Rule 403 as the testimony is needlessly cumulative of prior testimony and is wasting time. The same testimony is presented by Plaintiff on direct (See 209:17 - 209:20)	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	226:01-226:20	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim disnessed.	Plaintiff adopts and incorporates his response to objections to 111 8. The witness was the project leader for the redesign of the Recovery filter (34:14 - 35:1) whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) the information that is the subject of the inquiry relates to fatal migration of the Recovery filter and is or should be within the knowledge of the witness. Plaintiff will agree to add line 9 to complete the response.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	227.07-227.09	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Plaintiff adopts and incorporates his response to objections to 111:8. The witness was the project leader for the redesign of the Recovery filter (34:14 - 35:1) whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) the information that is the subject of the inquiry relates to fatal migration of the Recovery filter and is or should be within the knowledge of the witness. Plaintiff will agree to add line 9 to complete the response.

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Chanduszko 10.10.13

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	Planniff adopts and incorporates his response to objections to 111:8. The witness planniff adopts and incorporates his response to objections to 111:8. The witness was the project leader for the redesign of the Recovery filter (34:14 - 35:1) whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) the information that is the subject of the inquiry relates to fatal migration of the Recovery filter and is or should be within the knowledge of the witness. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). Plaintiff adopts and incorporates his response to objections to 111.8. The witness was the project leader for the redesign of the Recovery filter. (34:14 - 35:1) whose goal was to make the filter more migration resistant (34:14-35:1 and 35:16-35:24) the information that is the subject of the inquiry from is or should be within the knowledge of the witness. Exhibit 11 is the System Design Verification & Validation Test Report for G1A Recovery which is the redesigned Recovery filter which included migration resistance, fatigue and radial strength testing.		The G2 and Recovery is the predicate devices of the G2, G2X, and Eclipse and information about the G2 and Recovery is relevant to the claims in this case. The witness was the project leader for the redesign of the Recovery filter. (34.14-5) 35:1). Exhibit 4 is Bard's 510(8) submission for the Recovery filter. (111.21-112.5) and as such the information in the document is or should be within the knowledge of the witness. He does not have to have a recollection of reading the document the past to be examined about facts or information recorded in the document that the past to be examined about facts or information recorded in the document that are within his area knowledge or the which would be related to scope of his work for Bact. There is nothing in the rules of civil procedure that prevents a defendant's employee from be shown an exhibit and asked about its contents.	The G2 and Recovery is the predicate devices of the G2, G2X, and Eclipse and information about the G2 and Recovery is relevant to the claims in this case. The witness was the project leader for the redesign of the Recovery filter. (34.14-38:1). Exhibit 4 is Bard's 510(k) submission for the Recovery filter. (111.21-112:5) and as such the information in the document is or should be within the knowledge of the witness. He does not have to have a recollection of reading the document that the past to be examined about facts or information recorded in the document that are within his reas knowledge or the which would be related to scope of his work for Bact. There is nothing in the rules of civil procedure that prevents a defendant's employee from be shown an exhibit and asked about its contents.		The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture of due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking, Plaintiff's experts, treating physicians and medical records establish that the filter perforated her UC. Fracture, migration, perforation and death are risks involved in the use of the G2X filter and are relevant to whether the G2X has a design defect. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).	
	OBJECTION This document relates to cephalad migration of the Recovery filter. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Plaintiff adopts and incorporates by reference his objections to 235:16 - 236:4. [Exhibit 11 and testimony) Rules 601, 602 & 612. No foundation. Witness not familiar with exhibit. (see 248:15-248:17) This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony effect, particularly with Plaintiff s punitive damages claim dismissed.		Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. This testimony relates to cephalad migration in the Recovery filter, which is not an issue and/or the case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. This testimony does not have personal knowledge about it or the circumstances. This testimony case to cephological this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or the failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.		This testimony relates to cephalad migration in the Recovery filter, which is not an issue in this case.	
	Overrule Overrule Overrule		Overrule	Sustain		Overrule	
	236:08-236:16 236:25-237:14 247:13	248:15-248:17	249:09-249:16	250:08-251:03	252:09-252:20	253:16-253.25	254:11-254:22
	Chanduszko, Andrzej 10/10/2013 10/10/2013 Chanduszko, Andrzej 10/10/2013 Chanduszko, Andrzej 10/10/2013	Chanduszko, Andrzej 10/10/2013	Chanduszko, Andrzej 10/10/2013	Chanduszko, Andrzej 10/10/2013	Chanduszko, Andrzej 10/10/2013	Chanduszko, Andrzej 10/10/2013	Chanduszko, Andrzej
	DEF COUNTER PLAFFIRM PLAFFIRM	DEF COUNTER	Р L АБРІ RM	р А	PL AFFIRM	РІ АБІКМ	PL AFFIRM

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	256.04-256:10	Overrule	y relates to cephalad migration in the Recovery filter, which is not an use.	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture o due to the perforation of her filter which is supported by Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the G2X filter and are relevant to whether the G2X has a design defect.
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	256:21-256:23			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	261:10-261:18			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	261:18-261:22	Sustain	Plaintiff objects under Rule 701 as the testimony exceeds the scope of opinions permitted from a lay witness.	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	261:25-262:03	Sustain	Plaintiff bijects under Rule 701 as the testimony exceeds the scope of opinions permitted from a law witness.	
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	262:05-262:09	Sustain	Plaintiff objects under Rule 701 as the testimony exceeds the scope of opinions permitted from a lay witness.	
PL AFFIRM	Irzej	262:18-263:04 Starting with "what did"			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	263:05-263:17	Sustain	Plaintiff objects under Rule 701 as the testimony exceeds the scope of opinions permitted from a lav witness.	
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	267:01-267:08			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	268:11-268:14 Starting with "The arc"			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	268:18			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	268:23-270:06 Ending with "Correct"			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	270:06-270:08			
DEF COUNTER	Chanduszko, Andrzej 10/10/2013	270:10			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	270:11-270:16			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	271:16-271:25			
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	275:16-276:14	Overrule	This testimony relates to cephalad migration in the Recovery filter, which is not an The testimony involves the Recovery filter, the predicate device for the GZ. Plaintiff is supering the supering source of the perforation of her filter is supering the supering source by the supering source of the perforation of her filter is supering the supering source by supering source by the supering source of the perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the filter and are relevant to whether the GZX has a design defect. The reference not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevanced probative value of such testimony regarding the elevence and probative value of such testimony regarding the design process from the Recovery filter to the Edispe and did not exclude a references to cephalad migration only the cases of death. (MDL Doc. 10815)	The testimony involves the Recovery filter, the predicate device for the G2. Plaintiff is at significant risk of fracture of due to the perforation of her filter which is supported by Plaintiff's expert Dr. McMeeking. Plaintiff's experts, treating physicians and medical records establish that the filter perforated her IVC. Fracture, migration, perforation and death are risks involved in the use of the G2X filter and are relevant to whether the G2X has a design defect. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the velevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Chanduszko, Andrzej 10/10/2013	279:02-279:08			

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Chandraskin, Andrera 7:05-3:33 Deervine 10.15.11.2. FRE 40.18 4.02 Februaries the finish Chandrask in same a patient frontacts on the finish Chandrask in same a patient frontacts on the finish Chandrask in same a patient frontacts on the finish Chandrask in same and a 4.02 Februaries on the finish Chandrask in Andrera 1.02 Februaries on the finish Chandrask in A					In trial deposition of Andrzej J. Chanduszko was suspended by agreement with intention to complete the deposition at a later date. Defendants completed their direct examination of Mr. Chanduszko and all that remains in Plaintiff's cross- examination. The deposition is scheduled to resume on April 29, 2020. Plaintiff reserve the right to further designate testimony completion of the deposition.	
Chandrasio, Andreig 705-13-03 Deveroe Diseastor Chandrasio, Andreig 705-13-03 Deveroe Deveroe Diseastor Chandrasio, Andreig 705-13-03 Deveroe Deveroe		Chanduszko, Andrzej				
Chandustic, Andrea 1312-1439 Deervise Chandustic, Andrea 1312-1439 Deervise Chandustic, Andrea 1312-1439 Deervise Chandustic, Andrea 1312-1439 Deervise Chandustic, Andrea 1312-1430 Deervise Chandustic, Andrea 13106-1202 Chandustic, Andrea 13106-1202 Chandustic, Andrea 13106-1250 Chandustic, Andrea 13106-1202 Chandustic, Andrea 1		Chanduszko, Andrzej 11/06/2020		Overrule	=	Mr. Chanduszko's background and work experience are relevant. He is not offering an medical opinion, but is explaining the condition filers treat.
Chandesto, Andreg 11439-1510	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	13:12-14:04	Overrule	forting TR TO2 & FRCP 26(a)(2)(C)-Lack of foundation. Mr. Chanduszko states he is a mechanical engineer and has been designated as non-retained engineering expert. Mr. Chanduszko is not a modical doctor.	He is not offering an medical opinion, but is explaining the condition filters treat.
Describe 1419-15.01	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	14:08-14:16	Overrule	Mr. Chandus No. 19 10 to a medical wood. 1. Chandus No. 19 to the is a mechanical engineer and has been designated as non-retained engineering expert. Mr. Chandus No. 19 medical doctor.	No objection made at time of testimony - rellevant to platif's design claims
ThinkSh200 15.12-16.06 15.12-16.06 15.12-16.06 15.12-16.06 15.12-16.06 15.12-16.06 15.10 15.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	14:19-15:01	Overrule	Lack Chandration. REF 701 & RFC 6(a)(2)(C)-Mr. Chandrazko states he is a mechanical engineer and has been designated as non-retained engineering expert. Mr. Chandracko is not a madical doztor.	Explains witness involvement and knowledge base
Chandaste, Andree 15.12-16.06	DEF AFFIRM	Chanduszko, Andrzej	15:05-15:07		THE CHARGEN IS INVESTIGATION OF THE CHARGE CHARGES	Explains witness involvement and knowledge base
Chanduscko, Andreig 15.12-16.06 Operrule FRE 6.01, 8-402 Relevance and FRE 4.03 - Further to the form of the page of t	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	15:10			
Chanduszko, Andrze 16.08-18.17	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	15:12-16:06	Overrule	FRE 401, &402 Relevance and FRE 403 - the witness testifies that he does not have ""first hand knowledge"" of what Bard verified regarding NMT's work but attest that he does now about NMT's work and he had confidence in it. The testimony is yearneand, confusing	Explains witness involvement and knowledge base
Chanduszko, Andrze 1819-20.03 Overrule 19.24-20.3-FRE 401, 402-Vague and irrelevant - generic testimony as to post maker conduct not specific Ban's No filters or any IVC filters. Chanduszko, Andrze 2007-20:09 Overrule Overrule File 410, 402-Vague and irrelevant - generic testimony as to post maker conduct not specific Ban's No filters or any IVC filters. Chanduszko, Andrze 2012-20:21 Overrule File 410, 402-Vag & 6.11(c) - leading and lack proper foundation. There is no retenant as 11,066/2020 Chanduszko, Andrze 20.24-21:13 Overrule 21:16-21:20 Literatuszko, Andrze 23:16-22:21 Overrule 21:16-21:20 Lack of foundation. Mr. Chanduszko has not established a proper Literatuszko, Andrze 23:16-22:18 Overrule 21:16-21:20 Lack of foundation. Mr. Chanduszko has not established a proper Literatuszko, Andrze 23:16-22:18 Chanduszko, Andrze 23:16-22:18 Chanduszko, Andrze 23:16-22:18 Chanduszko, Andrze 23:16-23:18 Chanduszko, Andrze 23:13-33:107 Literatuszko, Andrze 23:13-33:107 Literatuszko, Andrze 23:13-33:107 Chanduszko, Andrze 23:13-33:13 Overrule RRE 611(c)-leading Literatuszko, Andrze 23:13-23:13 Overrule		Chanduszko, Andrzej		Overrule	18.15-18.17 - FRE 401, 402 -Vague and irrelevant - generic testimony as to post market conduct is not relevant	Explains witness knowledge and Bard's process for designing a filter.
Chandustko, Andrej 20:07-20:09 Overrule FRE 410, 402, 402 & 611(c) - leading and lacks proper foundation. There is no translated and lacks proper foundation. Wr. Chandustko, Andrej 20:24-21:13 Overrule 21:10-21:20 = FRE 611(c) - leading and lacks proper foundation. Mr. Chandustko hardrej 21:16-22:21 Overrule 21:16-21:20 Lack of foundation. Mr. Chandustko hardrej 23:05-23:09 Lack of foundation. Mr. Chandustko hardrej 23:05-23:09 Lack of foundation. Mr. Chandustko hardrej 23:12-23:18 Lack of foundation. Mr. Chandustko hardrej 23:12-23:18 Lack of foundation. Mr. Chandustko hardrej 23:12-23:18 Lack of foundation. Mr. Chandustko, Andrej 23:12-23:18 Lack of foundation. Mr. Chandustko, Andrej 23:12-23:18 Lack of foundation. Mr. Chandustko, Andrej 23:13-23:18 Lack of foundation. Mr. Chandustko, Andrej 23:13-23:18 Lack of foundation. Mr. Chandustko, Andrej 23:13-34:13 Overrule FRE 611(c) - leading Lack of foundation. Mr. Chandustko, Andrej 23:13-34:23 Overrule FRE 611(c) - leading Lack of foundation. Mr. Chandustko, Andrej 23:13-34:23 Overrule RE 611(c) - leading Lack of foundation. Mr. Chandustko, Andrej 23:13-34:23 Overrule RE 611(c) - leading Lack of foundation. Mr. Chandustko, Andrej 23:13-36:09 Lack of foundation. Mr. Chandustko, Andrej 23:13-37:06 Lack of foundation. Mr. Chandustko, Andrej 23:13-37:06 Lack of foundation. Mr. Chandustko, Andrej 23:13-37:0		Chanduszko, Andrzej 11/06/2020		Overrule	19:24-20:3: RRE 401, 402 -Vague and irrelevant - generic testimony as to post market conduct not specific Bard's IVC filters or any IVC filter is not relevant.	Question is not leading. Question does not suggest the answer.
Chanduszko, Andreej 20:12-20:21 Overrule FRE 611(c)-leading 11/06/2020 Chanduszko, Andreej 20:24-21:13 Overrule 21:11-21:13 - FRE 611(c)-leading 11/06/2020 Chanduszko, Andreej 21:16-22:21 Overrule 21:11-21:13 - FRE 611(c)-leading 11/06/2020 Chanduszko, Andreej 23:05-23:09 Dassis for his statement as to what knowledge of others at Bard possessed. 11/06/2020 Chanduszko, Andreej 23:12-23:18 Andreej 11/06/2020 23:12-23:09 Andreej 27:16-28:09 11/06/2020 Starling with "In" Andreej 11/06/2020 23:14-29:18 Andreej 11/06/2020 23:13-34:15 Overrule Chanduszko, Andreej 34:17-34:23 Overrule Thofiz/2020 34:13-34:15 Overrule Chanduszko, Andreej 35:16-36:09 Andreej 11/06/2020 35:02-35:13 Overrule Chanduszko, Andreej 35:16-36:09 Andreej 11/06/2020 35:02-35:13 Overrule Chanduszko, Andreej 35:16-36:09 Overrule </td <td>DEF AFFIRM</td> <td>Chanduszko, Andrzej 11/06/2020</td> <td>20:07-20:09</td> <td>Overrule</td> <td>FRE 410, 402, 402 & 611(c) - leading and lacks proper foundation. There is no testimony that the witness has studied ""all"" IVC filters.</td> <td>Question is not leading. Question does not suggest the answer.</td>	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	20:07-20:09	Overrule	FRE 410, 402, 402 & 611(c) - leading and lacks proper foundation. There is no testimony that the witness has studied ""all"" IVC filters.	Question is not leading. Question does not suggest the answer.
Chanduszko, Andrzej 20:24-21:13 Overrule 21:11-21:13 - FRE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 21:16-22:21 Overrule 21:16-21:20 Lack of foundation. Mr. Chanduszko has not established a proper basis for his statement as to what knowledge of others at Bard possessed. 11/06/2020 Chanduszko, Andrzej 23:02-23:09 Basis for his statement as to what knowledge of others at Bard possessed. Chanduszko, Andrzej 23:02-23:09 Chanduszko, Andrzej 23:02-23:09 Chanduszko, Andrzej 22:14-29:18 Entring with "in" Chanduszko, Andrzej 23:14-29:18 ERE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 31:17-34:13 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading Thofs/2020 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:16-36:09	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	20:12-20:21	Overrule	FRE 611(c) -leading	Question is not leading. Question does not suggest the answer.
Chanduszko, Andrzej 21:16-22:21 Overrule 21:15-21:0 Lack of foundation. Mr. Chanduszko has not established a proper basis for his statement as to what knowledge of others at Bard possessed. Chanduszko, Andrzej 23:05-23:09 Andrzej 23:12-23:18 Chanduszko, Andrzej 23:12-23:18 Andrzej 11/06/2020 Chanduszko, Andrzej 24:02-27:09 Chanduszko, Andrzej 27:16-28:09 11/06/2020 Starting with "In." Chanduszko, Andrzej 28:14-29:18 Chanduszko, Andrzej 28:14-29:18 Chanduszko, Andrzej 29:23:31:07 Chanduszko, Andrzej 34:13-34:13 Overrule FRE 611(c)-leading FRE 611(c)-leading FRE 611(c)-leading 11/06/2020 Thanduszko, Andrzej 35:16-36:09 Overrule 11/06/2020 Thanduszko, Andrzej 11/06/2020 35:16-36:09 Chanduszko, Andrzej 35:16-36:09 Overrule Re Edos not answer that specific question. Chanduszko, Andrzej 36:12-37:06	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	20:24-21:13	Overrule	21:11-21:13 - FRE 611(c)-leading	Question is not leading. Question does not suggest the answer.
Chanduszko, Andrzej 23:05-23:09 Chanduszko, Andrzej 23:12-23:18 Li J/06/2020 Chanduszko, Andrzej 24:02-27:09 Chanduszko, Andrzej 27:16-28:09 11/06/2020 Saarting with "In" Chanduszko, Andrzej 29:23:31:07 Chanduszko, Andrzej 29:23:31:07 Chanduszko, Andrzej 34:17-34:03 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:16-36:09 Overrule FRE 611(c)-leading 11/06/2020 35:16-36:09 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:16-36:09 Overrule 36:6-36:09 - Responsiveness - thew witness was asked to identify "other goals" and information. Chanduszko, Andrzej 36:10-36:09 Overrule Andrzej Andrzej <	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	21:16-22:21	Overrule	21:16-21:20 Lack of foundation. Mr. Chanduszko has not established a proper basis for his statement as to what knowledge of others at Bard possessed.	
Chanduszko, Andrzej 23:12-23:18 Li/06/2020 Chanduszko, Andrzej 24:02-27:09 Chanduszko, Andrzej 27:16-28:09 28:14-29:18 Li/06/2020 Chanduszko, Andrzej 28:14-29:18 ERE 611(c)-leading Li/06/2020 Chanduszko, Andrzej 31:17-34:03 Andrzej Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:16-36:09 Overrule 36:6-36:09 - Responsiveness - thew witness was asked to idenify "other goals" and the does not answer that specific question. Chanduszko, Andrzej 36:12-37:06 He does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	23:05-23:09			
Chanduszko, Andrzej 24:02-27:09 Chanduszko, Andrzej 27:16-28:09 Chanduszko, Andrzej 28:14-29:18 Chanduszko, Andrzej 29:23:31:07 Chanduszko, Andrzej 31:17-34:03 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading Chanduszko, Andrzej 34:17-34:23 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:02-38:13 Overrule Acc-36:09 - Responsiveness - thew witness was asked to identify "other goals" and the does not answer that specific question. Chanduszko, Andrzej 36:03:00 Acc-36:09 - Responsiveness - thew witness was asked to identify "other goals" and the does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	23:12-23:18			
Chanduszko, Andrzej 27:16-28:09 Lat/06/2020 Starting with "In" Chanduszko, Andrzej 28:14-29:18 Lat/06/2020 Chanduszko, Andrzej 29:23:31:07 Lat/06/2020 Chanduszko, Andrzej 31:17-34:03 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:16-36:09 Overrule Ai-C-36:09 - Responsiveness - thew witness was asked to idenify "other goals" and he does not answer that specific question. Chanduszko, Andrzej 36:12-37:06 He does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	24:02-27:09			This is not a narrative.
Chanduszko, Andrzej 28:14-29:18 Li/06/2020 Chanduszko, Andrzej 29:23:31:07 Chanduszko, Andrzej 31:17-34:03 FRE 611(c)-leading Chanduszko, Andrzej 34:17-34:23 Overrule FRE 611(c)-leading Chanduszko, Andrzej 34:17-34:23 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading Li/06/2020 Chanduszko, Andrzej 35:16-36:09 Overrule Responsiveness - thew witness was asked to identify "other goals" and he does not answer that specific question. Chanduszko, Andrzej 36:12-37:06 He does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	27:16-28:09 starting with "In"			Question is not leading. Question does not suggest the answer.
Chanduszko, Andrzej 29:23:31:07 Chanduszko, Andrzej 31:17-34:03 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading Chanduszko, Andrzej 34:17-34:23 Overrule FRE 611(c)-leading Chanduszko, Andrzej 35:16-36:09 Responsiveness - thew witness was asked to idenify "other goals" and he does not answer that specific question. Chanduszko, Andrzej 35:16-36:09 Overrule 36:6-36:09 - Responsiveness - thew witness was asked to idenify "other goals" and he does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	28:14-29:18			
Chanduszko, Andrzej 31:17-34:03 FRE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 35:02-35:13 Overrule FRE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 35:16-36:09 Overrule 36:6-36:09 - Responsiveness - thew witness was asked to identify "other goals" and he does not answer that specific question. Chanduszko, Andrzej 36:12-37:06 he does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	29:23:31:07			No lack of foundation - he is describing a document about which he has knowledge.
Chanduszko, Andrzej 34:13-34:15 Overrule FRE 611(c)-leading 11/06/2020 Chanduszko, Andrzej 34:17-34:23 Overrule FRE 611(c)-leading 11/06/2020 11/06/2020 Andrzej 35:02-35:13 Overrule 36:6-36:09 - Responsiveness - thew witness was asked to idenify "other goals" and he does not answer that specific question. 11/06/2020 Chanduszko, Andrzej 36:12-37:06 he does not answer that specific question.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	31:17-34:03			
Chanduszko, Andrzej 34:17-34:23 Overrule 11/06/2020 Chanduszko, Andrzej 35:02-35:13 11/06/2020 Chanduszko, Andrzej 35:16-36:09 Chanduszko, Andrzej 36:12-37:06 Chanduszko, Andrzej 36:12-37:06	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	34:13-34:15	Overrule		Question is not leading. Question does not suggest the answer. A law witness can give an opinion about a matter about which he has knowledge.
Chanduszko, Andrzej 35:02-35:13 11/06/2020 Chanduszko, Andrzej 35:16-36:09 Chanduszko, Andrzej 36:12-37:06 Chanduszko, Andrzej 36:12-37:06	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	34:17-34:23	Overrule	FRE 611(c)-leading	
Chanduszko, Andrzej 35:16-36:09 Overrule 11/06/2020 Chanduszko, Andrzej 36:12-37:06 11/06/2020	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	35:02-35:13			
Chanduszko, Andrzej 11/06/2020	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	35:16-36:09	Overrule	36:6-36:09 - Responsiveness - thew witness was asked to idenify "other goals" and he does not answer that specific question.	The testimony is responsive to the question.
	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	36:12-37:06			

DEF AFFIRM	Chanduszko, Andrzej	37:15-37:19			THEST CHOSES TO CONTENT ON THE
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	38:02-38:04			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	38:06-38:08	Overrule	Responsiveness - the witness was asked how long it took to develop the G2 filter and he did not answer that question.	The testimony is responsive to the question.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	38:11-39:06	Overrule	ctivity or event took the most time in 32 - everything after ""it depends on the	The testimony is responsive to the question.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	39:16-39:20	Overrule	d its asks for a response as to what work is in performed eveloped or after the prototype is developed leaving the wer either question.	The question is not compound.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	39:24-40:17			The witnesses is explaining a process and a document about which he has knowledge involving the design of Bard IVC filters
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	41:13-42:18			The witnesses is explaining a process and a document about which he has knowledge. Involving the design of Bard IVC filters.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	42:21-44:02			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	44:16-45:03			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	47:04-47:18	Overrule	47:4-47:8 - FRE 403: The testimony at 31:17-32:22 duplicates the same testimony hand the probative value, if any, is substantially outweighed by undue delay, wasting of time and/or needlessly presenting cumulative evidence.	No objection was made at the time of the testimony (and no prior testimony is identified).
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	47:22-50:23			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	51:03-51:23			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	52:03-52:15			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	53:06-53:11			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	53:21-55:11	Overrule	54:4-55:11 - The response exceeds the scope of the question - everything after "there was no need to perform that test" is non-responsive.	The testimony is responsive to the question.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	55:19-60:03	Sustain	55:19-55:23 - an answer without a question	
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	60:05-60:11	Overrule	Foundation - The witness has not established how he is knowledgeable with the specific test or the basis for his knowledge of the reasoan Bard had for performing for performing the test.	
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	60:14-60:21	Overrule	Foundation - The witness has not established how he is knowledgeable with the specific test or the basis for his knowledge of the reasoan Bard had for perofrming for performing the test	
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	78:02-78:12	Overrule	78:10-78:12 - Foundation - The witness has not established how he is knowledgeable with regard to the Eclipse filter design or the ability to electropolish the filters prior to the Eclipse.	
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	78:16-81:08	Overrule	80:17-81:08 - Responsiveness- the witness was asked what types of wire were T tested and he does not identify the type of wire just the location on the wires that was tested	The testimony is responsive to the question.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	81:11-88:04			
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	88:12-88:14	Overrule	Foundation -The witness has not established how he is knowledgeable with regard to the Eclinse filter testing.	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	88:18-89:23	Overrule	as not established how he is knowledgeable with regard	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	90:11-90:25	Overrule	as not established how he is knowledgeable with regard	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	91:04-91:10	Overrule	Foundation -The witness has not established how he is knowledgeable with regard Question is not leading. Question does not suggest the answer to the Eclinse filter testing.	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	91:12-92:08	Overrule	g after "derived from a test on a Greenfield filter" uestion asked. FRE 403-	The testimony is responsive to the question.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	92:12-93:15	Overrule	Foundation -The witness has not established how he is knowledgeable with regard Question is not leading. Question does not suggest the answer. to the Eclipse filter testing.	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	93:19-95:06		Foundation -The witness has not established how he is knowledgeable with regard to the Eclipse filter testing.	
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	95:13-95:14	Overrule	ation -The witness has not established how he is to the Eclipse filter testing.	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	95:16-97:06	Overrule	Foundation -The witness has not established how he is knowledgeable with regard Question is not leading. Question does not suggest the answer to the filter testing.	Question is not leading. Question does not suggest the answer.
DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	97:09-97:16			
Chanduszko 11.6.20	5 11.6.20				51

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19.12-10.00 19.12-10.00 19.10-10.00 19.10-10.00 19.10-10.00 19.12-10.00	DEF AFFIRM	Chanduszko, Andrzej	97:18-97:22	Overrule	he witness has not established how he is knowledgeable with regard	
Hand State 11 State 12 State 1	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	97:25-98:07	Overrule	to the chibse filter testing. Foundation to the Condense with regard Que foundation The with regard how he is knowledgeable with regard Que for Editore filter testing.	restion is not leading. Question does not suggest the answer.
1992 1992	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	98:09-98:14	Overrule	Foundation -The witness has not established how he is knowledgeable with regard Quoto the Eclipse filter design or the ability to electropolish the filters prior to the Eclipse.	Jestion is not leading. Question does not suggest the answer.
10.24.20.12 Demonster 20.24.20.20 De	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	98:16-98:19	Overrule	Foundation -The witness has not established how he is knowledgeable with regard to the Eclipse filter design or the ability to electropolish the filters prior to the scilose.	
10 10 10 10 10 10 10 10	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	99:04-99:10	Overrule	99:8-99:10 -FRE 611(c)-leading - Assumes facts not in evidence that the new filters Quwere "improved" filters.	restion is not leading. Question does not suggest the answer.
Tree 1011-10115 Owners or reference to the Col restriction to the Co	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	99:13-101 09	Overrule	99:16-100:S -FRE 401, 402 - There is no relevance to whether all prototypes made it Rei to market, 100:14-101:09 -FRE 401, 402-There is no relevance to the G3 testimony as is was not a predicate for the Edipse or another filter. FRE 403 - The probative yale, it substantially outweighed by unfair prejudice, undue delay, and	ilevant to feasibility of alternative designs.
10.135-10.2.2.2. Operation of the Edippe of another files. Filed 2. The contract of the Edippe of another files. Filed 2. The contract of the Edippe of another files. Filed 2. The contract of the Edippe of another files. Filed 3. The contract of the Edippe of anot	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	101:15-101:16	Overrule	There is no relevance to the G3 testimony as is was not a predicate for the Eclipse Relican another filter. FRE 403 - The probative value, if any, is substantially outweighed doe by unfair prejudice, undue delay, and wasting of time.C90	levant to feasibility of alternative designs. Question is not leading. Question es not suggest the answer.
1933-10313 Overside Fit & Gal, Laz. There is no recovered to the Gal sections in the coloring control of the California of the Calif	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	101:18-102:22	Overrule	ē.	levant to feasibility of alternative designs. Question is not leading. Question es not suggest the answer.
1353-136.12 Deervie Pie 201, 4.0	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	103:03-103:18	Overrule	ate	elevant to feasibility of alternative designs.
104.04-106.05 Overrub FIRE GLO, 422. There for no reference on the 63 section was a found as the control of the follower of an order of the follower of	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	103:25-104:02 starting with "what did"	Overrule	predicate of time.	levant to feasibility of alternative designs. Question is not leading. Question es not suggest the answer.
105.07-107.09 Operution FFR 401, 402 - There is no relevance to the G3 testimony as is was not a predictor Relevant to feasibility of alternative designs. Guestion is substantially outweighed by unfair projudice, undue debty, and vashing of time. 107.14-107.15 Operution FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predictor Relevant to feasibility of alternative designs. Question is not leading. Question The BFR 401, 402 - There is no relevance to the G3 testimony as is was not a predictor Relevant to feasibility of alternative designs. Question is not leading. Question The BFR 401, 402 - There is no relevance to the G3 testimony as is was not a predictor Relevant to feasibility of alternative designs. Question is not leading. Question The BFR 401, 402 - There is no relevance to the G3 testimony as is was not a predictor Relevant to feasibility of alternative designs. The answer is responsive to the G3 testimony as is was not a predictor Augustion Aug	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	104:04-106:05	Overrule	te .	levant to feasibility of alternative designs. Question is not leading. Question es not suggest the answer.
107:14-107:16 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. Question is not leading. Question is not leading. Question is substantially outweighed by unfair prejudice, undue delay, and wasting of time. 107:18-109:11 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. Question is not leading. Question in for the Eclipse or another filter. FRE 403 - The probative value, if any, is substantially outweighed by unfair prejudice, undue delay, and wasting of time. 107:18-110:14 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. The answer is responsive to the Edipse or another filter. FRE 403 - The probative value, if any, is substantially outweighed by unfair prejudice, undue delay, and wasting of time. 110:18-112:09 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. The answer is responsive to the Edipse or another filter. FRE 403 - The probative value, if any, is used or another filter. FRE 403 - The probative value, if any, is not relevance or another filter. FRE 403 - The probative value, if any, is not relevance or another filter. FRE 403 - The probative value, if any is substantially outweighed by unfair prejudice, undue delay, and wasting of time and/or needless to another filter fre face or another filter. FRE 403 - The probative value, if any is substantially outweighed by undie relegance of the question asked. FRE 403 - The probative value, if any is substantially outweighed by undie relegance of the question of the probative value is an estimony and the probative value. If any is substantially outweighed by under delay, wasting of time and/or needless to a control of the face of the face of the face of the face of the	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	106:07-107:09	Overrule		elevant to feasibility of alternative designs.
107-18-109-11 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. Question is not leading Question substantially outweighed by unfair prejudice, undue delay, and wasting of time. 109-13-110-14 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. The answer is responsive to the G109-112-112-10-112-112-112-112-112-112-112-	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	107:14-107:16	Overrule	et .	levant to feasibility of alternative designs. Question is not leading. Question es not suggest the answer.
109:13-110:14 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relevant to feasibility of alternative designs. The answer is responsive to the for the Eclipse or another Filter. FRE 403 - The probative value, if any, is substantially outweighed by unfair prejudice, undue delay, and wasting of time. 110:18-112:09 Overrule FRE 401, 402 - There is no relevance to the G3 testimony and wasting of time. Substantially outweighed by unfair prejudice, undue delay, and wasting of time. Substantially outweighed by unfair prejudice, undue delay, and wasting of time. Inc. 402 - There is no relevance to the question asked. FRE 403 - The probative value, if any, is substantially outweighed by unfair prejudice, undue delay, and wasting of time. The testimony at 115:20-116:19 - Responsiveness. Everything after "derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403 - The testimony at 115:20-116:19 - Responsiveness. Everything after "derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403 - The testimony at 115:20-116:19 - Responsiveness. Everything after "derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403 - The testimony at 115:20-116:19 - Responsiveness. Everything after "derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403 - The testimony at 115:20-116:19 - Responsiveness. Everything after "derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403 - The testimony at 115:20-116:19 - Responsiveness. Everything after "derived from a test on a guestion for the question. 116:24-118:15	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	107:18-109:11	Overrule	. Ite	levant to feasibility of alternative designs. Question is not leading. Question es not suggest the answer.
110:18-112:09 Overrule FRE 401, 402 - There is no relevance to the G3 testimony as is was not a predicate Relievant to feasibility of alternative designs. for the Eclipse or another filter. FRE 403 - The probative value. if any, is substantially outweighed by unfair prejudice, undue delay, and wasting of time. 112:16-112:19 Overrule 115:20-116:19 - Responsiveness. Everything after ""derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403 - The testimony is responsive to the question. The testimony is responsive to the question. The testimony is responsive to the question. Inc. 24-118:15	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	109:13-110:14	Overrule	ete .	levant to feasibility of alternative designs. The answer is responsive to the estion.
112.16-112.19 113.16-116.19 Overrule 115.20-116.19 - Responsiveness. Everything after ""derived from a test on a Greenfield filter" exceeds the scope of the question asked. FRE 403- The testimony is responsive to the question. Greenfield filter" exceeds the scope of the question asked. FRE 403- The testimony at 115.18-116.19 duplicates the same testimony and the probative value , if any, is substantially outweighed by undue delay, wasting of time and/or needlessly necessaring rumulative evidence. 116:24-118:15 Overrule 120:15-120:19 - FRE 611(c)Heading Question is not leading. Question does not suggest the answer.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	110:18-112:09	Overrule	ıte	illevant to feasibility of alternative designs.
113:16-116:19 Overrule 115:20-116:19 Overrule 115:20-116:19 Coverrule 115:20-116:19 Coverrule Co	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	112:16-112:19			
Irzej 116:24-118:15 Overrule 120:15-120:19 - FRE 611(c)-leading Question is not leading. Question does not suggest the answer. Irzej 120:22-120:24 Accidental description is not leading. Question does not suggest the answer.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	113:16-116:19	Overrule	/or	e testimony is responsive to the question.
Ize 119-05-120:19 Overrule 120:15-120:19 - FRE 611(c)-leading Question is not leading. Question does not suggest the answer.	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	116:24-118:15			
120:22-120:24	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	119:05-120:19 starting at Again	Overrule		uestion is not leading. Question does not suggest the answer.
	DEF AFFIRM	Chanduszko, Andrzej 11/06/2020	120:22-120:24			

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Chanduszko, Andrzej	121:02-121:06		mo	Question is not leading. Question does not suggest the answer.
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	121:10			
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	121:12-121:15	Overrule	FRE 611(c)-leading	Question is not leading. Question does not suggest the answer.
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	121:21-121:24		mo	Question is not leading. Question does not suggest the answer.
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	122:01-122:05	Overrule	122:3-122:5- FRE 611(c)-leading	Question is not leading. Question does not suggest the answer.
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	122 08			
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	122:18-122:21			
	11/06/2020				
DEF AFFIRM	Chanduszko, Andrzej	123:02-123:22			
	11/06/2020	end at Thank you			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF BLANKET OBJECTION				y in this deposition relates entirely, or in significant part, to the Recovery filter and actions taken regarding that filter. Bard objects by under Rules 401, 402 and 403 and for the reasons set forth in its estimony is largely focused on alleged "bad acts" relating to the	
PL AFFIRM	Ciavarella, David 03/01/2011	91:16-92:02			
PL AFFIRM	Ciavarella, David 03/01/2011	93:03-95:04			
PL AFFIRM	Ciavarella, David 03/01/2011	99:16-100 03			
PL AFFIRM	Ciavarella, David 03/01/2011	110:24-111:04			
PL AFFIRM	Ciavarella, David 03/01/2011	111:10-112:05			
DEF COUNTER	Ciavarella, David 03/01/2011	112:06-112:22			
PL AFFIRM	Ciavarella, David 03/01/2011	112:23-113:10			
PL AFFIRM	Ciavarella, David 03/01/2011	121:25-122:10 end at "Yes."	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puritive damages claim dismissed. Also-or the extent the objection is overruled-incomplete and misleading answer. Complete answer is 122:10-11. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony involves the Recovery and the G2. The Recovery is the predicate device to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue. Everything after "yes" is non-responsive and the objection is made at 122:12-13
DEF COUNTER	Ciavarella, David 03/01/2011	135:12-136:11 subject to objection			
DEF COUNTER	Ciavarella, David 03/01/2011	136:13-138:04 "death" must be redacted on 136:15 and 137:17			
DEF COUNTER	Ciavarella, David 03/01/2011	138:07-138:12 subject to objection			
PLAFFIRM	Ciavarella, David 03/01/2011	138:18-138:24 beginning with "Bard did not"	Overrule		Testimony involves the Recovery and the G2. The Recovery is the predicate device to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue.
DEF COUNTER	Ciavarella, David 03/01/2011	139:09-139:10 subject to objection	Overrule	Lack of foundation; calls for speculation; FRE 602 (lack of personal knowledge): Witness testified he does not have a specific recollection of "specific discussions about why there should or should not be a recall," 139:7-8, 137 5-9 ("there were so many of them for a while, and it was — it was early on in my tenure there that I don't remember the details"). The recall decision was made by the VP of regulatory sciences after discussions that included the witness. 135:20-136.8 But the witness does not recall those discussions and he did not make the decision. The answer demonstrates that the witness is speculating: "I would conclude".	
DEF COUNTER	Ciavarella, David 03/01/2011	139:12-140:04 subject to objection	Overrule	same objections as to 139 9 - 139.10, which are incorporated by reference here.	

DESIGNEE	DEPONENT	DESIGNATIONS	RULING		RESPONSES TO OBJECTIONS
DEF BLANKET OBJECTION				The testimony in this deposition relates entirely, or in significant part, to the design of the Recovery filter and actions taken regarding that filter. Bard objects to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its MILL ⁸² . The testimony is largely focused on alleged "bad acts" relating to the	
DEF COUNTER	Ciavarella, David	5:06-5:11			
PL AFFIRM	Ciavarella, David 08/29/2012	21:10-21:15			
PL AFFIRM	Ciavarella, David 08/29/2012	35:17-36:05 Redact "filter death" (36:3)			
PL AFFIRM	Ciavarella, David	36:08-36:19 Pedact "death" (26:17)			
PL AFFIRM	Ciavarella, David	39:25-40:12			
PLAFFIRM	Ciavarella, David 08/29/2012	60.16 ending in "now to"	Overrule	This testimony and document violate the MIL on Recovery migration deaths, unless the exhibit is properly redacted. This testimony and document violate the throughout on Recovery migration deaths. Rules 401, 402, 403 — Testimony relates to on irrelevant and prejudicial equedence regarding Bade sconduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial defect, particularly with Plaintiff's punitive damages claim dismissed. This case floors not involve death and does not involve the Recovery Filter.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony's relevant to whether the filter had a defective design and as to If Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery sidnetty related to the G2/G2X/Eclipse. The restimony addresses all failure modes: the witness testified that "all patients in whom a Recovery filter is placed are potentially at risk for filter-associated adverse events." Any prejudice is not unfair. The reference is not to cephalad migration death from the Recovery filter, Judge Campbell recognized the relevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Ciavarella, David 08/29/2012	60:17 beginning with "your Health"	Overrule	This testimony and document violate the MIL on Recovery migration deaths unless See the exhibit. This testimony and document violate the MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff s punitive damages claim dismissed. This case does not involve death and does not involve the Recovery Filter.	See response to objections to 60:16 above, which Plaintiff incorporates here.
PL AFFIRM	Ciavarella, David 08/29/2012	60:18-61:06 beginning with "December 17, 2004"	Overrule	This testimony and document violate the MIL on Recovery migration deaths. This See testimony and document violate the MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bands so conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the	See response to objections to 60:16 above, which Plaintiff incorporates here.
DEF COUNTER	Ciavarella, David	61:07-61:10 subject to objection		2 40 11001 - 1 11001	
DEF COUNTER	Ciavarella, David	61:12-61:17			
PL COUNTER TO COUNTER	Ciavarella, David 08/29/2012	63:07-63:15 Redact "more deaths," (63:13)			
PLAFFIRM	Ciavarella, David 08/29/2012	67:09-68:07 beginning with "read to me on"	Overrule	This testimony and document violate the MIL on Recovery migration deaths. Rules Tea 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding the Bard's conduct related to the Recovery Filter. Irrelevant and any probative value on outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim disnissed. This case does not involve death and does not involve the filt Recovery Filter.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the CaX and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G2X/Eclipse and the Recovery filters uffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prejudice is not unfair. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevence and probative value of such testimonry regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
DEF COUNTER	Ciavarella, David 08/29/2012	68:08-68:12 subject to objection			
iavarella 8.29.12	08/29/2012 08/29/2012	subject to objection			55

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL COUNTER TO	Ciavarella, David	69:15-69:17			
COUNTER	08/29/2012				
PL COUNTER TO	Ciavarella, David	69:20-70:05			
COUNTER	08/29/2012				
PL COUNTER TO	Ciavarella, David	70:08			
COUNTER	08/29/2012				

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RESPONSES TO OBJECTIONS	The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819)																			Wamings and what medical professional knew or should have known directly relate to if Bard acted as a reasonable medical device manufacturer. Witness's job responsibility included review of product labeling, so the had to have knowledge of this subject to do his job. See, eg., 20:7-14, see also 91:13-17; 92:18-24. Witness's job also included assessing as part of health hazard evaluation whether the risk is obvious to the implanting physician. 8/29/12 deposition at 60:16-61:6. Witness made decisions and recommendations with respect to the Recovery regarding implanting physician's role in integrating risk information and making decisions. 7/29/14 deposition at 164:24-165:6. Testimony designated by Bard establishes witness had knowledge of and was involved in warnings and the risk/benefit analysis of doctors related to same. E.g., 80:18-25. In fact, the witness conducted a focus group regarding how doctors evaluate the risk/benefit ratio with respect to the Recovery filter. See Bard's designation, 7/29/04 deposition at 140:1-19. Thus, witness has knowledge of this subject matter. The witness answered the question.
OBJECTION	The testimony in this deposition relates entirely, or in significant part, to the design of the Recovery filter and actions taken regarding that filter. Bard objects to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its Mm.H.2. The testimony is largely focused on alleged "bad acts" relating to the Recovery filter.												FRE 403; Rules 601/602 & 701. Lacks foundation, witness does not have personal knowledge of subject matter; witness not an expert in this subject matter.			Defendants object to line 77 01. Improper answer without a question designated.				Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.
RULING													Overrule			Sustain				Overrule
DESIGNATIONS		11:09-11:11	13:12-13:19 beginning with "You've been with"	36:14-37:03	42:22-43:08	43:15-43:24	43:25-44:06	44:08-44:18	44:24-45:06	46:14-46:23	57:02-57:16 subject to objection	58:23-59:12 subject to objection	60:09-61:17	70:06-70:08 beginning with "you don't have "	70:11-70:13	77:01-77:09	80:04-80:13	83:06-83:08	83:11-83:16	84:10-84:15 beginning with "a medical doctor,"
DEPONENT		Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2014	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013	Ciavarella, David 11/12/2013
DESIGNEE	DEF BLANKET OBJECTION	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	DEF COUNTER	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	DEF COUNTER	DEF COUNTER	DEF COUNTER	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM

	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
Glavarella, David 11/12/2013	84:17-84:20	Overrule	Rules 601,100 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Warmings and what medical professional knew or should have known directly relate to if Bard acted as a reasonable medical device manufacturer. Witness's job responsibility included review of product labeling, so he had to have knowledge of this subject to do his job. See, e.g., 207-71, see also 91:13-17; 92:18-24. Witness's job also included assessing as part of health hazard evaluation whether the risk is obvious to the mplanting physician. 8/29/12 deposition at 60:16-61:6. Witness made decisions and recommendations with respect to the Recovery regarding implanting physician's role in integrating risk information and making decisions. 7/29/14 deposition at 164:24-165.6. Testimony designated by Bard establishes witness had knowledge of and was involved in warnings and the risk/benefit analysis of doctors related to same. E.g., 80:18-25. In fact, the witness conducted a focus group regarding how doctors evaluate the risk/benefit ratio with respect to the Recovery filter. See Bard's designation, 7/29/04 deposition at 140:1-19. Thus, witness answered the question.
Ciavarella, David 11/12/2013	84:22-85:03 subject to objection	Sustain in part. Add 86:07 and 86:08.	FRE 403: misleading and optional completeness: need to add witness answers to this at 85:16 & 86:8-8 (Witness says "I'm not sure." and "I don't know how to answer that minetion."	
Ciavarella, David 11/12/2013	86:08-86:16 begin at "whenever"	Sustain in part. Add 86:07 and 86:08.		
Ciavarella, David	89:23-90:10	Overrule	answer that we show. answer that we show the witness cannot speak to what other device manufactures should or should nor do.	
Ciavarella, David 11/12/2013	90:12-90:16			
Ciavarella, David 11/12/2013	90:24-91:17 beginning with "it has to"			
Ciavarella, David 11/12/2013	92:18-92:24			
Ciavarella, David 11/12/2013	94:11-95:01			
Ciavarella, David 11/12/2013	104:16-104:18 beginning with "What is MAUDE?"			
Ciavarella, David 11/12/2013	104:19-105:10	Overrule	Rules 601/602 & 701. Lacks foundation, witness does not have personal knowledge of subject matter, witness not an expert in this subject matter. Witness repeatedly testified "probably" indicating lack of knowledge.	
Ciavarella, David	106:09-106:12			
Ciavarella, David 11/12/2013	106:15-106:23	Overrule	106:24-25: FRE 802: hearsay; Judge Campbell sustained this objection in the MDL. Dkt. 10403 page 5.	
Clavarella, David 11/12/2013	126:18-127:01 beginning with "the"	Overrule	testimimony sed to to to udicial sed 15, le at iss ct, part sed 10, and in the sed 10, an	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffreed similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prejudice is not unfair.
Ciavarella, David	127:06-127:08			
Ciavarella, David	127:11-127:14			
Ciavarella, David	131:06-131:12			
Ciavarella, David 11/12/2013	131:18-131:23 beginning with "one of the "			
Ciavarella, David 11/12/2013	154:11-155:17 beginning with "why is a perforation "			
Ciavarella, David 11/12/2013	155:18-155:21 subject to objection	Overrule	FRE 401, 402, 403: testimony cut off in middle of question; improper testimony	
PL COUNTER TO Ciavarella, David COUNTER 11/12/2013	155:22-156:02			
Ciavarella, David	156:08-156:14 Theoretically			58

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Ciavarella, David	156:24-157:03			
	11/12/2013	beginning with "we do know"			
DEF COUNTER	Ciavarella, David 11/12/2013	157:04-157:13 subject to objection	Overrule	Untimely designation pursuant to parties' agreement.	
PL AFFIRM	Ciavarella, David	159:05-159:09			
	11/12/2013	beginning with "we know" ending with "Yes."			
DEF COUNTER	Ciavarella, David	159 09	Overrule	Defendants have not moved for optional completeness. Nor would it be	
PL AFFIRM	Ciavarella, David 11/12/2013	159:15-160:02 beginning with "just			
PL AFFIRM	Ciavarella, David	161:21-162:05			
PL AFFIRM	Ciavarella, David	162:11-162:17			
PL AFFIRM	Ciavarella, David 11/12/2013	168:06-168:09			
DEF COUNTER	Ciavarella, David 11/12/2013	169:15-169:20 subject to objection Redact 169:18 -20	Sustain	FRE 401, 402, 403: no question asked; answer not responsive to statement by attorney; this is argument between attorney and witness - not proper testimony.	
DEF COUNTER	Ciavarella, David 11/12/2013	169:22-170:07 end at "patients" subject to objection	Sustain	FRE 401, 402, 403: no question asked; answer not responsive to statement by attorney; this is argument between attorney and witness - not proper testimony. No answer designated until after 3 more "questions" were asked.	
DEF COUNTER	Ciavarella, David 11/12/2013	170:21-170:23 subject to objection	Sustain	FRE 401, 402, 403: no question asked; answer not responsive to statement by attomey; this is argument between attorney and witness - not proper testimony. This is 3 lines of an answer with no question designated, after a back and forth argument between course! and witness	
PL AFFIRM	Ciavarella, David 11/12/2013	174:16-174:21 beginning with "by the" Redact "and killing any body from 174:18-19	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. This case does not involve the Recovery filter, cephalad migration, or death.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Cipies are the same filter with the exception of a removal hook on the G2X and electropolishing on the Cipies. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prejudice is not unfair. Migration is at issue in this case. As redacted, the testimony does not reference cephalad migration death from the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony reaganding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Ciavarella, David 11/12/2013	176:04-176:08 beginning with "the rates"			
PLAFFIRM	Ciavarella, David 11/12/2013	179:16-179:25 beginning with "eventually didn't"	Overrule	Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter, cephalad migration, or death.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G3X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prejudice is not unfair. Migration is at issue in this case.
DEF COUNTER	Ciavarella, David 11/12/2013	180:01-180:09 Subject to objection	Overrule	FRE 403	
PL AFFIRM	Ciavarella, David 11/12/2013	180:11-180:25 beginning with "I'm asking"			
PL AFFIRM	Ciavarella, David 11/12/2013	181:05-181:08			
PL AFFIRM	Ciavarella, David 11/12/2013	182:12-182:21 beginning with "you had"			
PL AFFIRM	Ciavarella, David 11/12/2013	184:25-185:11			

Ciavarella 11.12.13

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Perginning with "50, you better the control of the	ľ	Siavarella, David	186:05-186:11			
186.27-186.31 186.20-186.35 Sinting Nation 401, 402, 403 – Testimony violates to innelwant and projudicial evidence regarding by and's conduct related to the Recovery Piller. Linethous had any projudicial evidence and		11/12/2013	beginning with " So, you			
186:23-186:25 Sission Related 40, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding bands is conduct related to the Recovey Filter. Increevant and may perform the control of property which conduct related to the Recovey Filter. Increevant and may perform the control of property in the control of the contro		Javarella, David	186:17-186:21			
250.02-250.05 Sustain Relate 410, 20, 20, 20, 21 streaming related to the Recovery Filter. Intrelevant and may popular to shadout related to the Recovery Filter. Intrelevant and may popular the values of the role of the shadout related to the Recovery Filter. 250.07-250.12 Sustain Related 10, 20, 403.1 Testimony relates to intelevant and prejudicial evidence and of the values of the sustain the stream of the stream		Jiavarella, David	186:23-186:25			
Pagaroling Bard is conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard is conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by rejudicial effect, particularly with Plantiff's punitive damages claim deimisted. Rules 60,1002 & 612 Lacks foundation, where so does not an order a fissue irrelevant and probative value outweighed by the witness. Aug. 403 – Testimony does not involve filter at issue and or failure mode at issue, irrelevant and probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim deimissed. This case does not involve the Recovery Filter. Trelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim deimissed. Z56:14-250:15 Sissain Rules 401, 402, 403 – Testimony related to the Recovery Filter. Trelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim deimissed. Z66:18-266:12 Z66:13-266:22 Z66:13-266:22 Z67:10-27:04-272:05 Z71:08-272:12 Z72:09-272:05 Z74:09-275:06 Z74:09-275:06 Z75:10-276:04 Deginning with "When Henny Plantiff's punitive damages claim dismissed. Link case does not involve the Recovery filter. Z75:20-272:05 Z76:20-272:05 Z76:20-277:05 Deginning with "When		11/12/2013	250:02-250:05	Sustain	чо	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G22, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and as to if Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G2X/Eclipse and the Recovery filters suffered similar rates of various failures and discussing the failures of the Recovery filters utfered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prejudice is not unfair. Witness's job responsibility included review of product labelling, so he had to have knowledge of this subject to do his job. See, e.g., 207.14. see also 91:13-17, 92:18-24. Witness's job also included assessing as part of health hazard evaluation at 60:16-61:6. Witness made decisions and recommendations with respect to the Recovery regarding implanting physician's role in integrating risk information and making decisions. 7/29/14 deposition at 164:24-165:6. Testimony designated by Bard establishes witness had knowledge of and was involved in warnings and the risk/benefit analysis of doctors related to basme. E.g. 80:18-25. In fact, the witness conducted a focus group regarding how doctors evaluate the risk/benefit ratio with respect to the Recovery filter. See Bard's designation, 7/29/04 deposition at 140:1-19. Thus, witness had knowledge of subject matter.
250.14-250:15 Sustain Rules 401, 403 - Testimony relates to irrelevant and prejudicial evidence regarding Band's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 - Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter. 265:18-265:21 265:18-265:21 265:13-266:22 277:08-272:15 277:09-272:06 277:09-275:06 277:09-275:06 276:09-275:06 276:05-277:05 (beginning with "when he with "when he personal with "when he with when he with when he with when he with whith "when he with when he with when he with whith when he with with "when he with whith whith whith whith when he with whith wh		11/12/2013	250:07-250:12	Sustain	uo	See response to objections to 250:02-250 05 above, which Plaintiff incorporates here.
		Ciavarella, David 11/12/2013	250:14-250:15	Sustain	noi ' .	See response to objections to 250.02-250 05 above, which Plaintiff incorporates here.
		Ciavarella, David	265:18-265:21			
		Ciavarella, David	266:13-266:22			
		Ciavarella, David	267:11-269:04			
		Ciavarella, David	269:12-270:05			
		Ciavarella, David	271:08-271:21			
		Ciavarella, David	272:05-272:15			
		Ciavarella, David	272:24-273:09			
		Ciavarella, David	274:09-275:06			
		Ciavarella, David 11/12/2013	275:19-276:04			
		Ciavarella, David 11/12/2013	276:05-277:05 (beginning with "when			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Ciavarella, David 11/12/2013	277:11-277:23			
PL AFFIRM	Ciavarella, David 11/12/2013	281:09-281:15	Overrule	Duplicative-asked and answered-designated in prior transcript. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the G2 filter, failure modes at issue, or use of a permanent filter.	Defendant's fail to identify where this testimony is designated in a prior transcript. Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and if Bard acted as a reasonable medical device manufacturer, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any
PL AFFIRM	Ciavarella, David 11/12/2013	282:02-282:08			
PL AFFIRM	Ciavarella, David 11/12/2013	283:05-283:14			
PL COUNTER TO	Ciavarella, David	284:04-284:16			
PL COUNTER TO	Ciavarella, David 11/12/2013	299:09-300:07			
PL AFFIRM	Ciavarella, David 11/12/2013	359:10-359:20 beginning with "on this team"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter, irrelevant and any probative value uotweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter, cephalad migration, fracture or a catastrophic event.	Testimony is not related to a particular filter or failure mode. The testimony shows that David Clavarella was the only medical doctor evaluating filter failures and catastrophic events caused by Bard IVC filters. Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter had a defective design and if Bard acted as a reasonable medical device manufacture, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and addiscussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prejudice is not unfair.
PLAFFIRM	Ciavarella, David 11/12/2013	362:07-362:24 beginning with "you wrote:"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter, cephalad migration, or fracture.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2x and electropolishing on the Eclipse. Establishes that witness (medical director of Bard at time of Recovery) believes that it is not possible to predict which patients' filters will fracture, but that more frequent monitoring could prevent some adverse events by discovery of abnormal placements and/or of fractures. Despite witness's conveyance of this opinion to Bard, Bard has not communicated this to physicians, to the witness's knowledge.
PL AFFIRM	Ciavarella, David 11/12/2013	363:08-363:16	Overrule	This testimony relates to Recovery cephalad migration. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 403, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery filter, cephalad migration, or fracture.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2x and electropolishing on the Eclipse. Establishes that witness (medical director of Bard at time of Recovery) believes that it is not possible to predict which patients' filters will fracture, but that more frequent monitoring could prevent some adverse events by discovery of abnormal placements and/or of fractures. Despite witness's conveyance of this opinion to Bard, Bard has not communicated this to physicians, to the witness's knowledge.
PL AFFIRM	Ciavarella, David 11/12/2013	364:04-365:02			
PL AFFIRM	Ciavarella, David 11/12/2013	366:01-367:05			
PL AFFIRM	Ciavarella, David 11/12/2013	367:22-368:05			
PL COUNTER TO	Ciavarella, David 11/12/2013	371:23-372:03			
PL COUNTER TO	Ciavarella, David	372 05			

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Ciavarella 7.29.14

DESIGNEE	DEDONENT	DESIGNATIONS	DITTING	OBJECTION	DECEDINICES TO OBJECTIONS
PL AFFIRM	Ciavarella, David 07/29/2014	Designations 79:17-80:05 peginning with "And you stated"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding. Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2XEclipse. Any predjudice is not unfair.
PL AFFIRM	Ciavarella, David 07/29/2014	90:11-90:25	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hoko on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2XEclipse. Any predjudice is not unfair.
DEF COUNTER	Ciavarella, David 07/29/2014	91:01-91:10 subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	93:02-94:05 subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	95:11-95:20 subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	96:01 end at "me" subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	96:03-96:10 subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	109:07-111:21 subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	114:03-114:12 subject to objection			
PL AFFIRM	Ciavarella, David O7/29/2014 Ciavarella, David O7/29/2014	116:21-116:23 ending with "2004," 117:01-117:02 beginning with "That	Overrule Overrule	This document and testimony violates the Court's ruling on the MIL regarding recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery filter, cephalad migration, or death. This document and testimony violates the Court's ruling on the MIL regarding Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2X, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter. Judge Campbell recognized the Hebhald migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 Hetha was aditted witg redactions in Jones and Hyde. Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate filter for the Eclipse are the
	01/29/2014	beginning with "That appears" ending with "Evaluation"		Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery filter, migration, or death.	GZ Is the predicate device for the Eclipse. The GZ, the GZX, and the Eclipse are the same filter with the exception of a removal hook on the GZX and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The GZ/GZX/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery filter. Large The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was aditted witg redactions in Jones and Hyde.

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PL AFFIRM	Ciavarella, David	beginning with "Correct?"	Overrule	This document and testimony violates the Court's ruling on the MIL regarding Recovey migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony probative value outweighed by prejudicial effect, particularly with plaintiff s punitive damages claim dismissed. This case does not involve the Recovery filter, migration, or death.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consume reexpectation, which are at issue. The G2Z/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to ephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was adilited whig redactions in Jones and Hyde.
PL AFFIRM	Ciavarella, David 07/29/2014	117:09-117:15 beginning with "it appears" Redact "and now ten reports associated with patient death." (117:12-13)	Overrule	This document and testimony violates the Court's ruling on the MIL regarding Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve Recovery filter, cephalad migration or death.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the revenence and probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to ephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was adiited witg redactions in Jones and Hyde.
PL AFFIRM	Ciavarella, David 07/29/2014	117:16-118:05 beginning with "the"	Overrule	This document and testimony violates the Court's ruling on the MIL regarding Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Trelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve Recovery filter, cephalad migration or death.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removah hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery filter, suffered similar rates of various failures and discussing the failures of the Recovery filter. Judge Campbell recognized the migration death from the Recovery filter. Judge Campbell recognized the migration death from the Recovery filter. Judge Campbell recognized the relevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was adiited witg redactions in Jones and Hyde.
PL AFFIRM	Ciavarella, David 07/29/2014	118:06-119:01 beginning with 'was he Dr'	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or fallure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve Recovery filter, cephalad migration or death.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery filter. Judge Campbell recognized the migration death from the Recovery filter. Judge Campbell recognized the migration death from the Recovery filter. Judge Campbell recognized the frenence and probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to ephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was adiited witg redactions in Jones and Hyde.
PL AFFIRM	Ciavarella, David 07/29/2014	119:06-119:14 beginning with "what were" ending with "overall."	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Palantiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or fallure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve Recovery filter, cephalad migration or death.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediudice is not unfair.
DEF COUNTER	Ciavarella, David 07/29/2014	119:25-120:01 SUBJECT TO OBJECTIONS RELATING TO LEHMANN REPORT	Taken Under Advisement	Addresses content of Lehman report: if Plaintiff's designations re this report are deemed to be privileged, this should be, too.	
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Ciavarella 7.29.14

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Ciavarella, David 07/29/2014	120:11-120:16 SUBJECT TO OBJECTIONS RELATING TO LEHMANN PEDORT	Taken Under Advisement	incomplete designation: only part of answer is designated. Addresses content of Lehman report. if Plaintiff's designations re this report are deemed to be privileged, this should be, too.	
DEF COUNTER	Ciavarella, David 07/29/2014	131:03-131:13 subject to objection	Sustain	Lack of foundation; FRE 602 (lack of personal knowledge); hearsay as to FDA statements; subject to objections, optional completeness: if played, entire answer should be included.	
PL AFFIRM	Ciavarella, David 07/29/2014	135.02-135.25	Overrule	8 – Testimony relates to irrelevant and prejudicial evidence induct related to the Recovery Filter and cephalad migration. probative value outweighed by prejudicial effect, particularly itive damages claim dismissed.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2X, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consume expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediculice is not unfair. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevenceand probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was adilited wifg redactions in Jones and Hyde.
PLAFFIRM	Ciavarella, David 07/29/2014	137:10-138:13	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's spunitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediudice is not unfair.
DEF COUNTER	Ciavarella, David 07/29/2014	140:01-140:19 subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	142:03-142:04 end at "presentation" subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	142:10-142:16 subjection to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	144:19-145:02 end at "this" subject to objection	Overrule	optional completeness: entire answer should be included	
DEF COUNTER	Ciavarella, David 07/29/2014	145:08-146:05 subject to objection	Sustain	FRE 802: hearsay Hearsay objection sustained by Judge Campbell. See MDL Doc. 12508 para. D p. 6 No. 22 (holding 145:13-146:1 is hearsay).	
DEF COUNTER	Ciavarella, David 07/29/2014	148:22-149:14 begin at "But" subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	151:03-151:11 subject to objection	Sustain	FRE 802: hearsay; FRE 602 (lack of personal knowledge)	
DEF COUNTER	Ciavarella, David 07/29/2014	151:12-151:16 begin at "But no" Subject to objection	Sustain	FRE 802: hearsay; FRE 602 (lack of personal knowledge); subject to objections, optional completeness: "even death" needs to be included	
DEF COUNTER	Ciavarella, David 07/29/2014	152:20-152:21 end at "recall" Subject to objection			
DEF COUNTER	Ciavarella, David 07/29/2014	153:02-153:14 end at "be taken" Subject to objection	Sustain	optional completeness: entire answer should be included	
DEF COUNTER	Ciavarella, David 07/29/2014	156:08-156:19 Subject to objection	Sustain	155:12-19: FRE 802: hearsay; FRE 602 (lack of personal knowledge)	
DEF COUNTER	Ciavarella, David 07/29/2014	156:25-157:06 end at "No" Subject to objection	Sustain	FRE 602 (lack of personal knowledge): witness does not remember without looking at meeting minutes (157.6-8); subject to objections, optional completeness: entire answerneeds to be included	
PL AFFIRM	Ciavarella, David 07/29/2014	162:14-162:16	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any torobative value outweighed by prejudicial effect, particularly with Plaintiff s nutritive damanes claim dismissed.	The testimony is the introdcution of an exhibit. It does not involve a filter.

Ciavarella 7.29.14

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Ciavarella, David 07/29/2014	163 08 ending with "is?"	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is not about the Recovery filter. The testimony to identify what an exhibit is. Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G3x, and the Eclipse are the same filter with the exception of a removal hook on the G3X and dectropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G3/G3X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
PL AFFIRM	Ciavarella, David 07/29/2014	163:10-163:20	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is not about the Recovery filter. The testimony to identify what an exhibit is. Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G3x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter fiter had a defective design and and as to consumer expectation, which are at issue. The C3/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
PL AFFIRM	Ciavarella, David 07/29/2014	164:15-165:06	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is not about the Recovery filter. The testimony to identify what an exhibit is. Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Eclipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
DEF COUNTER	Ciavarella, David	165:07-165:12 Subject to objection	Overrule	FRE 701 (improper opinion testimony by lay witness based on technical/legal knowledge)	
DEF COUNTER	id	165:23-166:06 This designation is made subject to the objection that Plaintiff s testimony violates the protective order entered in the MDL regarding the consultant report prepared by Dr. John Lehmann. If the objection is sustained, Bard withdraws this designation.	Overrule	FRE 701 (improper opinion testimony by lay witness based on technical/legal knowledgel):	
PL AFFIRM	Ciavarella, David 07/29/2014	167.05-167.17	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter.	The testimony is about the the G2, the predicate device to the G2X and Eclipse. The G2, G2X, Eclipse are identical excpt for a hook on top of the G2X and electropolishing for the Eclipse.
PL AFFIRM	Ciavarella, David 07/29/2014	168:12-170:06	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403, 403. Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter, fracture, or cephalad migration.	Testimony is not about the Recovery filter. The testimony to identify what an exhibit is. Testimony involves the Recovery, which is the predicate filter to the G2 and the G2 is the predicate device for the Clipse. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2x/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2x/Eclipse. Any predjudice is not unfair.

Ciavarella 7.29.14

	14:21-15:20	14:21-15:20 16:06-18:18 20:22-21:05	14;21-15;20 16:06-18:18 20:22-21:05 21:13-21:17	14.21-15.20 16.06-18.18 20.22-21.05 21:13-21:17 22:01-23:18	14.21-15.20 16.06-18.18 20.22-21.05 21.13-21.17 22.01-23:18	14.21-15.20 16.06-18.18 20.22-21.05 21.13-21.17 22:01-23:18 24:19-24:22 78:12-78:16	14.21-15.20 16.06-18.18 20.22-21.05 21.13-21.17 22.01-23:18 24.19-24.22 78:12-78:16	14.21-15.20 16.06-18.18 20.22-21.05 21:13-21.17 22:01-23:18 24:19-24:22 78:19-79:18 78:19-79:18
0101	DeFord, John 06/02/2016	DeFord, John 06/02/2016 DeFord, John 06/02/2016 DeFord, John	DeFord, John 06/02/2016 DeFord, John 06/02/2016 DeFord, John 06/02/2016 DeFord, John 06/02/2016	DeFord, John 06/02/2016	DeFord, John 06/02/2016	DeFord, John 06/02/2016	DeFord, John 06/02/2016	DeFord, John 06/02/2016
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	DeFord, John 08/15/2019	7:16-16:09	Overrule	(11:17-16:09) FRE 401: not relevant. (16 07-16:09) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Befordants are entitled to respond with a witness with extensive background and perceipence with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	16:12-21:11	Overrule	(16:12-16:24) Lack of foundation; FRE 602. (16:25-17:07) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. Through the course of his career, the witness has had reason to keep abreast of medical literature and the medical community's experience as a whole with IVC filters in general and providing testimony regarding that experience and knowledge is directly relevant.
DEF AFFIRM	DeFord, John 08/15/2019	21:14-22:16			
DEF AFFIRM	DeFord, John 08/15/2019	22:19-24:01			
DEF AFFIRM	DeFord, John 08/15/2019	24:04-24:07			
DEF AFFIRM	DeFord, John 08/15/2019	24:09-24:18			
DEF AFFIRM	DeFord, John 08/15/2019	24:21-26:01	Overrule	(25:10-26:01) object to FDA testimony based on Plaintiff's anticipated 510k MIL FRE 403- & 401	
DEF AFFIRM	DeFord, John 08/15/2019	26:04-26:12	Overrule	(26.04-26.09) object to FDA testimony based on Plaintiff's anticipated 510k MIL FRE 403- & 401	
DEF AFFIRM	DeFord, John 08/15/2019	26:14-27:09			
DEF AFFIRM	DeFord, John 08/15/2019	27:12-28:18	Overrule	(28:16-28:18) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The wtiness is entitled to explain his answer. The witness has previously testified to his lengthy experience in the medical device industry and with IVC filters in general. He is speaking from personal knowledge of events that he was involved in
DEF AFFIRM	DeFord, John 08/15/2019	28:21-30:18	Overrule	(28:21-29:21) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The testimony is directly responsive to the question asked. The wtiness is entitled to explain his answer. The witness has previously testified to his lengthy experience in the medical device industry and with IVC filters in general. He is speaking from personal knowledge of events that he was involved in. The witness is discussing facts that are well-established within the medical community and to which Plaintiff's own expert witnesses agree.
DEF AFFIRM	DeFord, John 08/15/2019	30:20-30:25			
DEF AFFIRM	DeFord, John 08/15/2019	31:23-32:10	Overrule	(31:23-32:05) Lack of personal knowledge; FRE 602. speculation. Opinion testimony by a lay witness; FRE 701. (32 06-32:10) Lack of personal knowledge; FRE 602. speculation. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in.
DEF AFFIRM	DeFord, John 08/15/2019	32:13-32:20	Overrule	(32:13-32:18) Lack of personal knowledge; FRE 602. speculation. Opinion testimony by a lay witness; FRE 701. (32:19-32:20) vague: unclear as to what "evolved over time" means.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The question is not yeaus.
DEF AFFIRM	DeFord, John 08/15/2019	32:22-33:06	Overrule	(32:22-32:24) vague: unclear as to what "evolved over time" means.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in The question is not yeave.
DEF AFFIRM	DeFord, John 08/15/2019	33:11-33:25	Overrule	(33:24-33:08) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in, as well as the medical literature that he is aware of on the topic of central venous pressure, which the Plaintiffs put directly at issue in this litigation.
DEF AFFIRM	DeFord, John 08/15/2019	34:02-34:08	Overrule	(34:02-34:08) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in.
DEF AFFIRM	DeFord, John 08/15/2019	37:03-37:14	Overrule	(37:03-37:14) Lack of foundation; Lack of personal knowledge; FRE 602. Speculation. Opinion testimony by a lay witness; FRE 701. No scientific proof that filters including the Recovery filters save lives.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in, as well as the medical literature that he is aware of on the topic of central venous pressure, which the Plaintiffs put directly at issue in this litigation.
DEF AFFIRM	DeFord, John 08/15/2019	38:14-39:17	Overrule	(38.14-39.17) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and exnerience with these matters.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	DeFord, John 08/15/2019	39:19-40:20	Overrule	Lack of foundation; RRE 602. Opinion testimony by a lay witness; ulation. Narrative. (40.17-40.20) Lack of foundation; FRE 602. nony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftigation. Defendants are entitled to respond with a witness with extensive background and expensions with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	40:23-42:16	Overrule	(40:23-41:19) Lack of foundation; FRE 602. Speculation. Opinion testimony by a Talay witness; FRE 701. (42:14-42:16) Leading. Lack of foundation; Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftgation. Bendendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	42:19-43:18	Overrule	(42:19-42:21) Leading. Lack of foundation; Opinion testimony by a lay witness; FRE 701.	The witness can appear in the medical the witness and the was a previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftigation. Beforedants are entitled to respond with a witness with extensive background and proving any with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	50:08-50:12	Overrule	(50:08-50:25) Lack of foundation; Lack of personal knowledge; FRE 602. Opinion T testimony by a lay witness; FRE 701. Speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Planntif has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	50:15-50:25	Overrule	(50.08-50.25) Lack of foundation; Lack of personal knowledge; FRE 602. Opinion T testimony by a lay witness; FRE 701. Speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	51:01-51:05	Overrule	(50.08-50.25) Lack of foundation; Lack of personal knowledge; FRE 602. Opinion T testimony by a lay witness; FRE 701. Speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Paintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	51:08-51:16	Overrule	(51:01-51:12) Lack of foundation; Lack of personal knowledge; FRE 602. Opinion T testimony by a lay witness; FRE 701. Speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and personance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	51:18-52:19	Overrule	(51:18-51:20) Lack of foundation; Lack of personal knowledge; FRE 602. Opinion T testimony by a lay witness; FRE 701. Speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftgation. Defendants are entitled to respond with a witness with extensive background and personance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	54:11-54:16	Overrule	(54:11-54:16) Lack of foundation; FRE 602. Opinion testimony by a lay witness; T FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftigation. Defendants are entitled to respond with a witness with extensive background and expensions with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	54:19-55:06	Overrule		The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Paintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and personance matters.
DEF AFFIRM	DeFord, John 08/15/2019	71:08-71:14	Overrule	(71:08-71:14) Lack of foundation; FRE 602. Opinion testimony by a lay witness; T FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and personance matters.
DEF AFFIRM	DeFord, John 08/15/2019	71:16-72:02	Overrule	(71.16-71:21) Lack of foundation; FRE 602. Opinion testimony by a lay witness; TFRE 701. (71.25-72:02) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftigation. Defendants are entitled to respond with a witness with extensive background and expensions with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	72:04-72:22	Overrule	(71:04-72:22) Lack of foundation; FRE 602. Opinion testimony by a lay witness; T FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this liftigation. Defendants are entitled to respond with a witness with extensive background and expensions with these matters.
DEF AFFIRM PEPOTO 8.15.19	DeFord, John 08/15/2019	72:25-74:08	Overrule	(72:25-73:10) Lack of foundation; FRE 602. Opinion testimony by a lay witness; TFRE 701. (73:18-73:24) Object to FDA testimony based on Plaintiff's 510k MIL FRE d43-& 401. (74 06-74 08) Lack of foundation; FRE 602. Opinion testimony by a lay in witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters.
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	DeFord, John 08/15/2019	74:11-75:09	Overrule	(74:11-74:16) Lack of foundation; RRE 602. Opinion testimony by a lay witness; FRE 701. (75:06-75:09) Object to FDA testimony based on Plaintiff's 510k MIL FRE 403- & 401	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters. With respect to \$10k/FDA evidence, Defendants incorporate by reference their response to Plaintiff's motion in limine.
DEF AFFIRM	DeFord, John 08/15/2019	75:11-75:12	Overrule	(75:11-75:12) Object to FDA testimony based on Plaintiff's 510k MIL. FRE 403- & 401	Defendants incorporate by reference their response to Plaintiff's motion in limine.
DEF AFFIRM	DeFord, John 08/15/2019	75:14-81:10	Overrule	(75:14) Object to FDA testimony based on Plaintiff's 510k MIL FRE 403- & 401. (77:10-77:15) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation. (77:16-77:24) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation. (77:25-78 06) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation. (80:20-80:25) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters. Defendants incorporate by reference their response to Plaintiff's motion in limine.
DEF AFIRM	DeFord, John 08/15/2019	81:13-82:02	Overrule	(81:13-82:02) Lack of foundation, lack of personal knowledge, FRE 602. Opinion testimony by a lay witness; FRE 701. speculation	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters. Defendants incorporate by reference their response to Plaintiff's motion in limine.
DEF AFFIRM	DeFord, John 08/15/2019	82:05-82:06			
DEF AFFIRM	DeFord, John 08/15/2019	82:10-82:25			
DEF AFFIRM	DeFord, John 08/15/2019	83:03-83:14			
DEF AFFIRM	DeFord, John 08/15/2019	83:19-84:21			
DEF AFFIRM	DeFord, John 08/15/2019	84:24-87:11	Overrule	(87:10-87:11) Lack of foundation; lack of personal knowledge; FRE 602. speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Befordants are entitled to respond with a witness with extensive background and persenance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	87:14-87:19	Overrule	(87:10-87:17) Lack of foundation; lack of personal knowledge; FRE 602. speculation. (87:18-87:19) Lack of foundation; lack of personal knowledge; FRE 602. speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Befordants are entitled to respond with a witness with extensive background and perceirance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	87:21-90:06	Overrule	(87:21-87:22) Lack of foundation; lack of personal knowledge; FRE 602. speculation. (90 03-90 06) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Befordants are entitled to respond with a witness with extensive background and perperience with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	90:08-90:16	Overrule	(90:08) Lack of foundation; FRE 602. (90:13-90:16) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Befordants are entitled to respond with a witness with extensive background and personance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	90:18-90:19	Overrule	(90:18-90:19) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plantiff has put these matters directly at issue in this litigation. Befordmants are entitled to respond with a witness with extensive background and persenance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	90:22-90:25	Overrule	(90:22) Lack of foundation; FRE 602. (90:23-90:25) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Befordants are entitled to respond with a witness with extensive background and perceirance with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	91:02-92:08	Overrule	(91:02) Lack of foundation, FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was browded in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters.

DESIGNEE	DEPONENT	DESIGNATIONS	RITING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	DeFord, John 08/15/2019	92:10-92:13	Overrule	(92:12-92:13) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	92:15-95:13	Overrule	(92.15-92.25) Lack of foundation; (94.01-94:06) Object to FDA testimony based on Plaintiff's 5.10k MIL FRE 403- & 401. (95:11-95:13) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation. Misleading as the study had not concluded. FRE 403.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	95:16-96:02	Overrule	(95.16-95.23) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation. Misleading as the study had not concluded. FRE 403. (95:25-96:02) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation. Assumes facts not in evidence. Leading. Counsel is testifying.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	96:04-96:24	Overrule	(96.04-96.11) Lack of foundation; lack of personal knowledge; FRE 602. Opinion testimony by a lay witness; FRE 701. speculation.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	97:18-97:23	Overrule	(97:21-97:23) Lack of foundation; RRE 602. Opinion testimony by a lay witness; FRE 701.	The withcress has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and
DEF AFFIRM	DeFord, John 08/15/2019	98:01-98:07	Overrule	(98:01-98:04) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701. (98:05-98:07) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and provincing with these matters.
DEF AFFIRM	DeFord, John 08/15/2019	98:10-99:01	Overrule	(98:10-98:16) Lack of foundation; FRE 602. (98:24-99:01) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Dependents are entitled to respond with a witness with extensive background and propriet and these matters.
DEF AFFIRM	DeFord, John 08/15/2019	99:04-99:07	Overrule	(99:04-99:07) Lack of foundation; FRE 602.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Dependents are entitled to respond with a witness with extensive background and propriet matters.
DEF AFFIRM	DeFord, John 08/15/2019	99:09-99:13	Overrule	(99:09-99:13) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Developed and are entitled to respond with a witness with extensive background and propriet matters.
DEF AFFIRM	DeFord, John 08/15/2019	99:15-100 06	Overrule	(99:15-99:17) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701. (100:05-100:06) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Detailed and the are entitled to respond with a witness with extensive background and propriet matters.
DEF AFFIRM	DeFord, John 08/15/2019	100:08-100:14	Overrule	(100:08-100:09) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701. (100:10-100:14) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Dependents are entitled to respond with a witness with extensive background and propriet matters.
DEF AFFIRM	DeFord, John 08/15/2019	100:16-101:02	Overrule	(100:16) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701. (100:17-100:23) Leading. Counsel in testifying. (100:24-101 02) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Dependents are entitled to respond with a witness with extensive background and propriet and these matters.
DEF AFFIRM	DeFord, John 08/15/2019	101:04-101:08	Overrule	(101:04) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701. (101:05-101:08) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701.	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Dependents are entitled to respond with a witness with extensive background and propriet matters.
DeFord 8.15	DeFord, John 08/15/2019	101:10-101:16	Sustain	(101:10-101:16) Lack of foundation; FRE 602. Opinion testimony by a lay witness; FRE 701. (101:11-101:25) Relevance. FRE 401	The witness has previously testified to his lengthy experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Palantiff has put these matters directly at issue in this litigation. Defendants are entitled to respond with a witness with extensive background and experience with these matters.

DESIGNEE	DEPONENT	DESIGNATIONS	KULING	UBJECTION	RESPONSES TO OBJECTIONS
DEFAFFIKM	Derord, John 08/15/2019	101:18-	Sustain		The withess has previously testified to his tengrity experience in the medical device industry. He is speaking from personal knowledge of events that he was involved in. The Plaintiff has put these matters directly at issue in this litigation. Bornants are entitled to respond with a witness with extensive background and perpendents the present of the propertience of the propertience of the properties.
PL COUNTER	DeFord, John 08/15/2019	102:20-103:23			
PL COUNTER	DeFord, John 08/15/2019	104:20-105:17		The following testimony is designated by Defendants as necessary: 105:18 - 105:24	
DEF COUNTER TO COUNTER	DeFord, John 08/15/2019	105:18-105:24			
PL COUNTER	DeFord, John 08/15/2019	106:04-106:07			
PL COUNTER	DeFord, John 08/15/2019	106:09-106:15			
PL COUNTER	DeFord, John 08/15/2019	106:17-107:14			
DEF COUNTER TO COUNTER	DeFord, John 08/15/2019	107:13-107:14			
PL COUNTER	DeFord, John 08/15/2019	108:05-108:22 stopping at "Correct"	Overrule	s	Defendants discussed the Nicholson article at length on direct see 86:01-90:06 - Plaintiff's are cross exmining on the same article. Plaintiff is not seeking to introduce the article as an exhibit - this ps proper See FRE 803(18).
PL COUNTER	DeFord, John 08/15/2019	109:02-109:21	Overrule	on of the article on the grounds that it is hearsay. Bard's 1:06 do not address the content of the article (and it was), but instead the circumstances surrounding it and Bard's	Defendants discussed the Nicholson article at length on direct see 86:01-90:06 - Plaintiff's are cross exmining on the same article. Plaintiff is not seeking to introduce the article as an exhibit - this ps proper See FRE 803(18).
PL COUNTER	DeFord, John 08/15/2019	109:23	Overrule	on of the article on the grounds that it is hearsay. Bard's 0:06 do not address the content of the article (and it was it), but instead the circumstances surrounding it and Bard's at).	Defendants discussed the Nicholson article at length on direct see 86:01-90:06 - Plaintiff's are cross exmining on the same article. Plaintiff is not seeking to introduce the article as an exhibit - this ps proper See FRE 803(18).
PL COUNTER	DeFord, John 08/15/2019	110:04-110:13	Overrule	on of the article on the grounds that it is hearsay. Bard's :06 do not address the content of the article (and it was), but instead the circumstances surrounding it and Bard's .	Defendants discussed Dr. Trerotola's participation in a FDA conference with Dr. Nicholson about his article at length on direct see 86:01-90:06 - Plaintiff's are cross examining on the same issue and referencing a learned treatise by Dr. Trerotola which cites the Nicholson article. Plaintiff is not seeking to introduce the article as an exhibit - this is proper See FRE 803(18).
PL COUNTER	DeFord, John 08/15/2019	110:15 "Yes"	Overrule	The following testimony is designated by Defendants as necessary: 110:15 - 110:16	The testimony requested is not needed to complete the response . It is unsolicited and unsubstantiated hearsay.
DEF COUNTER TO COUNTER	DeFord, John 08/15/2019	110:15-110:16			
PL COUNTER	DeFord, John 08/15/2019	110:21-111:25			
PL COUNTER	DeFord, John 08/15/2019	112:08-115:21			
PL COUNTER	DeFord, John 08/15/2019	116:13-117:19 stopping at "correctly"			
PL COUNTER	DeFord, John 08/15/2019	127:02-128:03	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	
PL COUNTER	DeFord, John 08/15/2019	128:09-129:01	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The following testimony is designated by Defendants as necessary: 129:02 - 129:07.	
DeFord 8.15.19	.19				73

RESPONSES TO OBJECTIONS												
OBJECTION	22, 403. Testimony does not involve filter at issue and/or s. at issue; Irrelevant and any probative value outweighed by ffect, particularly with Plaintiff's punitive damages claim ules 401, 402, 403 – Testimony relates to irrelevant and vidence regarding Bard's conduct related to the Recovery rant and any probative value outweighed by prejudicial effect, with Plaintiff's punitive damages claim dismissed. The following designated by Defendants as necessary: 130:21 - 130:24.		Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.					Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that hely he does not have personal knowledge of subject matter, calls for speculation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness has never seen the document before. See 205:14-25.		Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.		Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.
RULING	Sustained as to 130 08-24.		Sustain					Sustain		Overrule		Overrule
DESIGNATIONS	129:11-130:21 "Yes"	130:21-130:24	132:20-132:23	133:23–134:10	135:10-135:12	135:14-135:15	138:09-139:04	139:06-139:17	140:10-140:15	141:06-141:12	152:04-152:15	155:12-155:16
DEPONENT	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	Deford, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	Deford, John 08/15/2019
DESIGNEE	PL COUNTER	DEF COUNTER TO COUNTER	PL COUNTER	DEF COUNTER TO	DEF COUNTER TO COUNTER	DEF COUNTER TO COUNTER	DEF COUNTER TO COUNTER	PL COUNTER	DEF COUNTER TO COUNTER	PL COUNTER	DEF COUNTER TO COUNTER	PL COUNTER

DeFord 8.15.19

DESIGNEE	DEPONENT	DESIGNATIONS	RULING		RESPONSES TO OBJECTIONS
PL COUNTER	DeFord, John 08/15/2019	15:04-15:16 Redacted 15:300-15:310 Start at"and ten", End at "that's fair"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim fishraises. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The following testimony is designated by Defendants as necessary: 156:16 - 156:20. Referring to the total adverse events does not open the door to Recovery migtration deaths.	The reterence is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was admitted with redactions in Jones and Hyde. Adding 156:16-156:20 after requiring Plaintiff to remove the testimony as to known deaths would open the door to the death references.
DEF COUNTER TO COUNTER	DeFord, John 08/15/2019	156:16-156:20			
PL COUNTER	DeFord, John 08/15/2019	157:24-158:03	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403. The following testimony is designated by Defendants as necessary: 158:4-158:13.	The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). Adding 158 04-158:13 after requiring Plaintiff to remove the testimony as to known deaths would open the door to the death references.
DEF COUNTER TO COUNTER	DeFord, John 08/15/2019	158:04–158:13			
PL COUNTER	DeFord, John 08/15/2019	"Nothing in this document"	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403. The following testimony is designated by Defendants as necessary: 158:4-158:13.	The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevence and probative value of such testimony regarding the design process from the Recovery filter to the Eclispe and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). Adding 158 04-158:13 after requiring Plaintiff to remove the testimony as to known deaths would open the door to the death references.
PL COUNTER	DeFord, John 08/15/2019	160:07-160:08 Stopping at "G2"			
PL COUNTER	DeFord, John 08/15/2019	160:17-161:01			
PL COUNTER	DeFord, John 08/15/2019	162:17-162:19			
PL COUNTER	DeFord, John 08/15/2019	163:04-163:07			
PL COUNTER	DeFord, John 08/15/2019	164:07-164:09			
PL COUNTER	DeFord, John 08/15/2019	167:07-167:10			
PL COUNTER	DeFord, John 08/15/2019	167:19-168:04			
PL COUNTER	DeFord, John 08/15/2019	168 08 "Stopping at "correctly"		The following testimony is designated by Defendants as necessary: 168:8 - 168:10.	
DEF COUNTER TO COUNTER	DeFord, John 08/15/2019	168:08–168:10			
PL COUNTER	DeFord, John 08/15/2019	168:13-168:17 Starting at "He"			
PL COUNTER DeFord, John	DeFord, John	168:19-168:25			
eFord 8.15	1.1908/15/2019				75

RESPONSES TO OBJECTIONS														
OBJECTION			Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	The following testimony is designated by Defendants as necessary: 180:19 - 181:01.			Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 182 02 - 182.6. The following testimony is designated by Defendants as necessary: 182:02 - 182:06.				The following testimony is designated by Defendants as necessary: 201:23 - 202:18 203:25 - 204 04.	The following testimony is designated by Defendants as necessary: 201:23 - 202:18 203:25 - 204 04. 203:24 - 204:1.		
RULING			Overrule				Sustain							
DESIGNATIONS	169:02-169:04	174:06–174:11	178:22-179:11	180:15-180:18	180:19-181:01	182:02-182:06	183:04-183:12 Start at "There were"	183:16-183:17	183:19-183:20	201:23–202:18	202:19-203:15	203:17-203:25	203:25–204 05	208:22-208:23
DEPONENT	DeFord, John 08/15/2019	DeFord, John	08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019	DeFord, John 08/15/2019
DESIGNEE	PL COUNTER	DEF COUNTER TO	PI COUNTER	PL COUNTER	DEF COUNTER TO COUNTER	DEF COUNTER TO COUNTER	PI COUNTER	PL COUNTER	PL COUNTER	DEF COUNTER TO COUNTER	PL COUNTER	PL COUNTER	DEF COUNTER TO COUNTER	DEF COUNTER TO COUNTER

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RESPONSES TO OBJECTIONS	Running Response to objections based on FRE 601, 602 & 612 related to lack of personal knowledge. The Plaintiff incorporates his Response to the Defendants Omnibus Motion in Limine # 7 and asserts the arguments made in opposition herein. The Federal Rules of Evidence do not prohibit a party from questioning witnesses about admissible documents the witness does not recall having seen before. "What if you had known "questions are acceptable. Id. at 459.																						
OBJECTION																				Please refer to the objections to 28:22-28:22 below.	FRE 401,402,403, 602, 701, 702 & 802 - 28:32-28:22 - "Like all trials" - his statement lacks a proper foundation and is speculation by the witness. He has not established his knowledge of all trials and the question was specific to Bard's own EVEREST trial. The assertion "like all trials" is hearsay. The testimony is not reliable, it is unfairly prejudicial, confusing and misleading.		FRE 403, 602, 701 & 702 - 44:22-45:03 - The question is compound and there fore confusion and the witness misstates what a predicate device is. His statement lacks a proper foundation as he admits he does not know what the basis for being a predicate device is in the next question and answer -45:4-45:14. The testimony is not reliable, it is unfairly prejudicial, confusing and misleading. FRCP 3:(6) - If this testimony is admitted the Plaintiff contends that in fairness 45:4-45:10 and 45:13-45:14 should be presented at the same time to complete the testimony and avoid confusion or misleading the jury.
RULING																					Sustain in part. Redact "Like all trials."		Overrule
DESIGNATIONS		7:11-7:14	7:18-7:20	13:07-14:04	14:14-14:17	14:16-15:18 Starting with "I think"	15:23-16:18	17:05-17:11	17:18-18:02 Starting with "What were"	18:16-18:19 Starting with "In that"	18:24-19:03	19:05-19:11	20:09-21:06	23:12-24:02	24:03-24:08	25:02-25:06	25:09-25:20	26:16-28:09	28:13-28:15	28:16–28:18	28:21–29:01	44:12-44:21	44:22–45 03
DEPONENT		Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017				
DESIGNEE	PL BLANKET RESPONSE TO OBJECTIONS	PL AFFIRM	PL AFFIRM	PL AFFIRM	DEF COUNTER	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	DEF COUNTER	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	DEF COUNTER	DEF COUNTER	PL AFFIRM	DEF COUNTER

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PL AFFIRM PL AFFIRM	DEPONENT Edwards, Bill 04/11/2017	49:21-50:15 49:21-50:15	Sustain	2 & Se	Plaintiff incorporates his running response to objections from above as though Plaintiff incorporates his running response to objections from above as though thing stated herein. This witness was a territory manager who was later promoted to field manager for Bard. As a territory manager and field manager he had responsibility for the direct sales of Bard's IVC filters to implanting physicians including Dr. Goodman, the physician who placed Mr. Peterson's filter. As a Field Manager he had the added responsibility of training other territory managers who sold Bard products including the IVC filters. As a sales representative directly responsible for selling the IVC filters of octrors and as a filed manager responsible for training other sales representative, what the witness knew about the IVC filters and what Bard did not tell him about the IVC filters is relevant to Bard's obligation to exercise reasonable care and whether Bard provided proper warnings regarding the IVC filters. The witness was asked what Bard told him. The question relates to a Bard document in which the company described the Eclipse filter and compare its design to the G2, products the witness was responsible for selling and the question relates to this knowledge regarding the products.
PL AFFIRM	Edwards, Bill 04/11/2017	50:18-51:19	Sustain	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testfied that he/she does not have personal knowledge about it or the citurastances. Rules 60/502 & 612. Lack's foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness is asked about a document he specifically testifies that he has never seen before 48:3-6.	Plaintiff incoporates his running response to objections from above as though fully stated herein. This witness was a territory manager who was later promoted field manager for Bard. As a territory manager who was later promoted responsibility for the direct sales of Bard's IVC filters to implanting physicians including Dr. Goodman, the physician who placed Mr. Peterson's filter. As a Field Manager he had the added responsibility of training other territory managers who sould Bard products including the IVC filters. As a sales representative directly responsible for selling the IVC filters to doctors and as a filled manager responsible for training other sales representative, what the witness snew about the IVC filters and what Bard did not tell him about the IVC filters is relevant to Bard's obligation to exercise reasonable care and whether Bard provided proper warnings regarding the IVC filters. The witness was asked what Bard told him and what Bard's policies were re: what was told to the direct sales personnel about the products the witness was responsible for selling and it the question relates to his knowledge regarding the products and Bard's conduct.
PL AFFIRM	Edwards, Bill 04/11/2017	52:21-53:02			
PL AFFIRM	Edwards, Bill 04/11/2017	53:06-53:24			
PL AFFIRM	Edwards, Bill 04/11/2017	54:03-55:03			
PL AFFIRM	Edwards, Bill 04/11/2017	55:06-55:17			
PL AFFIRM	Edwards, Bill 04/11/2017	55:20-55:22			
DEF COUNTER	Edwards, Bill 04/11/2017	56:07-56:13	Sustain in part as to completeness.	FRCP 32(6) - If this testimony is admitted the Plaintiff contends that in fairness 56:21-56:24 should be presented at the same time to complete the testimony and avoid confusion or misleading the jury	
DEF COUNTER	Edwards, Bill 04/11/2017	56:16-56:20	Sustain in part as to completeness.	FRCP 32(6) - If this testimony is admitted the Plaintiff contends that in fairness 56:21-56:24 should be presented at the same time to complete the testimony and avoid confusion or misleading the jury.	
DEF COUNTER	Edwards, Bill 04/11/2017	57:01-57:15	Sustain in part as to completeness.	FRCP 32(6) - If this testimony is admitted the Plaintiff contends that in fairness 57:16-58:1 should be presented at the same time to complete the testimony and avoid confusion or misleading the jury	
DEF COUNTER	Edwards, Bill 04/11/2017	58:24–59 06			
DEF COUNTER	Edwards, Bill 04/11/2017	59:10–60:10	Sustain	FRE 403 - The answer is nonresponsive, self serving and is unfairly prejudicial.	

PLAFFIRM PLAFFIRM	DEPONENT Edwards, Bill 04/11/2017	DESIGNATIONS 60:45-61:01	RULING Overrule	OBJECTION Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, frrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff incorporates his running response to objections from above as though faithly stated herein. Bard chose to market the Edipse filter using the 510(k) process which relied upon the Recovery, G.2, and G.2X filters as predicate devices. All G.2 filter platform filters, including the Edipse trace their design history to the Recovery filter and the defects in the Edipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G.2, and G.2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. [MDL Order No. 10819]. All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PL AFFIRM	Edwards, Bill 04/11/2017	61:04-61:12	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery, filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PL AFFIRM	Edwards, Bill 04/11/2017	62:03-62:08	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 which relied the context of the entire filter-line development. Testimony regarding the Recovery, G1, and G2X filters complications, testing and design is ischearant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embeddement and fracture. A struct from the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.

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PLAFIRM	Deponent Edwards, Bill 04/11/2017	62:11-63:10	Overrule	Object from Name of 20,2 (acks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plantiff incorporates his running response to objections from above as though faulty stated herein. Bard chose to market the Edipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Edipse trace their design history to the Recovery filter and the defects in the Edipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. [MDL Order No. 10819]. All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter unaiss embedded in his 13 vertebral body. he testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Ecipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PLAFFIRM	Edwards, Bill 04/11/2017	63:13-63:24	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embediment and fracture. A strut from the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PLAFFIRM	Edwards, Bill 04/11/2017	64:09-64:18	Overrule	Rules 601/602 & 612. Lacks foundation, withess does not have personal knowledge of subject matter, calls for speculation by the witness.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. [MDL Order No. 10819]. All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embediment and fracture. A strut return the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PL AFFIRM	Edwards, Bill 04/11/2017	64:21-65:07			
PL AFFIRM	Edwards, Bill 04/11/2017	65:19-65:24			
PL AFFIRM	Edwards, Bill 04/11/2017	72:18-73:10	Sustain	Rules 401, 402 & 403-irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists.	This question is relevant to the witness' experience, his level of performance as a sales representative for Bard, his potential bias and his credibility. It is not unfairly prejudicial. The testimony assists in explaining his credentials and relates to his familiarity with Bard's IVC Filter and the success of his interactions with the physicians in his territory.
Edwards, Bill 4.11.17 Pl	II 4.11.17 PL				81

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Edwards, Bill 04/11/2017	76:16–77:03		Please refer to the objections to 77:10-77:21, below.	
DEF COUNTER	Edwards, Bill 04/11/2017	77:06-77:21	Overrule	FRE 403, 602, 701, 702 & 802 - 77:10-77:21 - Starting with "like all filters" and defining at "sources" is not responsive. The question is specific to the higher rate of failures for the Recovery filter as compared to other filters and his statements about the MAUUE data base lack a proper foundation and is speculation by this witness. His comments about the MAUDE data base are hearsay. The testimony is not reliable, it is unfairly prejudicial, confusing and misleading.	
PLAFFIRM	Edwards, Bill 04/11/2017	78:04-78:16	Sustain	This designation violates the Court's ruling the MIL regarding Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by projudicial effect, particularly with Palnitiff s punitive deamages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweigheed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. [NUD. Order No. 108.9]. All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut return the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PLAFFIRM	Edwards, Bill 04/11/2017	78:19-79:02	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. Mal failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter remains embedded in his L3 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PLAFFIRM	Edwards, Bill 04/11/2017	79:16-80:11	Overrule	Rule 602 - witness does not have personal knowledge of this document. See, 79:15. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by application of particularly with Palanitif s punitive amages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 which relied upon the Recovery, G2, and G2X filters as predicate devices. All G1 Recovery filter and the defects in the Eclipse trace their design history to the Recovery G1 and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedinent and fracture. A strut from the filter mains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.

DECIONEE.	THENT	SINCIEVINOISSIC	ONITIO	MOLECTION	PECONICE TO OBJECTIONS
PL AFFIRM	Edwards, Bill 04/11/2017	80:14-81:02	Overrule	ness does not have personal knowledge of this document. See, 01, 402, 403 – Testimony does not involve filter at issue and/or at issue; irrelevant and any probative value outweighed by the public particular or and seed to the seed of or death. This testimony is overly prejudicial, particularly with plaintiff's punitive damages seed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G3X filters as predicate devices. All G2 kitter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G3X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. [MDL Order No. 10849]. All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter emains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate device is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PL AFFIRM	Edwards, Bill 04/11/2017	81:05-82:01	Overrule	Rule 602 - witness does not have personal knowledge of this document. See, 79:15. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by equidicial effect, particularly with Palnitiff s punitive amages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G.2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G.3, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Ludge Campbell agreed with this position in onto va. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter man subjection experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
DEF COUNTER	Edwards, Bill 04/11/2017	83:01-83:06	Sustain	FRE 403 - The proposed testimony is taken out of context and improperly edits the question asked. The proposed testimony changes the testimony by altering the context and meaning of the response. The proposed testimony improperly edits the question asked and changes the meaning and context of the response. As designated the testimony is unfairly prejudicial, misleading and likely to confuse the jury. RRCP 22(6) - If this testimony is admitted the Plaintiff contends that in fairness the entire question needs to be included beginning at 82:11-83:6 and the follow- up question and answer at 83:12-84;8 & 84:12-84;14 should be presented at the same time to complete the testimony and avoid confusion or misleading the jury.	
DEF COUNTER	Edwards, Bill 04/11/2017	83:10-83:18	Sustain	FRE 403 - The proposed testimony is taken out of context and improperly edits the question asked. The proposed testimony changes the testimony by altering the concext and meaning the response. As designated the testimony is unfairly prejudicial, misleading and likely to confuse the jury. FRCP 32(6) - If this testimony is admitted the Plaintiff contends that in fairness the entire question needs to be included beginning at 82:11-83:6 and the follow- up question and answer at 83:19-84:9.8 84:12-84:14 should be presented at the same time to complete the testimony and avoid confusion or misleading the jury.	

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Bill 04/11/2017	84:15-85:12	Overrule	This designation violates the Court's ruling on the MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed. Rule 611 compound question. Rule 611 assumes facts not in evidence.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G.2, and G.2X filters as predicate devices. All G.2 filter platform filter since the relied per predicts of G.2 filters and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G.2, and G.2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter remains embedded in his 1.3 vertebral body. The testimony as to directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PL AFFIRM	Edwards, Bill 04/11/2017	85:17-86:03 Redact the word "death" at line 6.	Overrule	This designation and the exhibit violate the Court's ruling on the MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by peadicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. This questions asks the witness if he has training in statistics. IT does not reference any document of call for speculation. The inquiry is a follow-up to the witness' comment regarding statistical significance in the prior response. The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was admitted with redactions in Jones and Hyde.
PL AFFIRM	Edwards, Bill 04/11/2017	86:11-86:22	Overrule	Rules 401, 402 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G2, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter remains embedded in his 13 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.
PL AFFIRM Etwards, Bill A.11.17 PI	Edwards, Bill 04/11/2017 14.11.17 PL	87:01-87:10	Overrule	This designation and the exhibit violate the Court's ruling on the MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probablize value outweighed by prejudiffect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter and/or death. This testimony is irrelevant and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Plaintiff incorporates his running response to objections from above as though fully stated herein. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery, G2, and G2X filters as predicate devices. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery, G3, and G2X filters complications, testing and design is relevant and is not outweighed by any unfair prejudice. Judge Campbell agreed with this position in lones v. Bard. (MDL Order No. 10819). All failures experienced by the predicate filters are relevant to the assessment of the defects in the design of the filter and warnings given about the filter and whether Bard acted with reasonable care. Mr. Peterson experienced migration, perforation embedment and fracture. A strut from the filter remains embedded in his L3 vertebral body. The testimony as to how Bard responded to the complications experienced in the predicate devices is directly relevant to whether the company acted with reasonable care as the Eclipse filter was the result of those decisions and the Defendants' conduct in response to those issues. The evidence is relevant the issue of negligence without regard to the existence of any punitive damage claim.

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RESPONSES TO OBJECTIONS		Plaintiff incorporates his running response to objections from above as though fully stated herein. This witness was a territory manager who was later promoted to field manager for Bard. As a territory manager and field manager he had responsibility for the direct sales of Bard's IVC filters to implanting physician including Dr. Goodman, the physician who placed Mr. Peterson's filter, As a Field Manager he had the added responsibility of training other territory managers who sold Bard products including the IVC filters. As a sales representative directly responsible for selling the IVC filters, and as a filed manager responsible for training other sales representative, what the witness knew about the IVC filters and what Bard did not tell him about the IVC filters and what Bard did not tell him about the IVC filters and whether Bard provided proper warnings regarding the IVC filters. The witness was asked whether he told physicians the G2 had more complications that the Simon Nitinol Filter. That does not call for speculation.	Plaintiff incorporates his running response to objections from above as though fully stated herein. This witness was a territory manager who was later promoted to field manager for Bard. As a territory manager and field manager he had responsibility for the direct sales of Bard. So IVC filters to implanting physicians including Dr. Goodman, the physician who placed Mr. Peterson's filter. As a Field Manager he had the added responsibility of training other territory managers who sold Bard products including the IVC filters. As a sales representative directly responsible for realing the IVC filters to doctors and as a filed manager responsible for training other sales representative, what the witness knew about the IVC filters what Bard told him about the IVC filters and what Bard did not tell him about the IVC filters and what Bard did not tell him about the IVC filters is relevant to Bard's obligation to exercise reasonable care and whether Bard provided proper warnings regarding the IVC filters. The witness was asked whether he discussed with physicians that the G2 had more complications that the Simon Nitinol Filter. That does not call for speculation.							
OBJECTION	proposed testimony is taken out of context and improperly edits the ci. The proposed testimony changes the testimony by altering the reaning the response. As designated the testimony is unfairly isleading and likely to confuse the jury. RCD 32(6). If this testimony ell-aintiff contends that in fairness the entire question needs to be the beginning at 101:15-102:07 to complete the testimony and on or misleading the jury.	Rules 601/602 & 612 Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness was shown a document that he specifically testified he's never seen before and plaintiff has designated portions of his testimony about that. See 99:20-99:24.	Rules 601/602 & 612 Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness was shown a document that he specifically testified he's never seen before and plaintiff has designated portions of his testimony about that. See 99:20-99:24. Additionally, lines 103:23-24 are a portion of a question and the testimony is nonsensical as designated.	RRE: 403 -Plaintiff objects to all cumulative testimony which repeats testimony designated and offered by Plaintiff during his direct examination. The probative value of such a duplicate presentation of testimony, if any, is substantially outweighed by undue delay, wasting of time and/or needlessly presenting cumulative evidence. The Plaintiff has introduced this question and the answer in his direct. With this designation the Defendant attempts to "borrow" the question from page 103 and graft it to a separate question and answer given on page 105. The result is the answer to 103:13-103:13 is not included and the Defense seeks to create new testimony which was not obtained during the deposition and was not subject to any possible objection or cross examination. As designated the testimony is unfairly prejudicial, misleading and likely to confuse the jury.		FRE 403 - The answer to 105:21-106: 03 found at 106:06-106:11 is nonresponsive, self serving and is unfairly prejudicial. The question specific as to whether the sales representative discussed complication rates other G2 or Recovery filter with implanting physician and does not ask about "the class of filters".	FRE 403 - The answer to 105:21-106: 03 found at 106:06-106:11 is nonresponsive, self serving and is unfairly prejudicial. The question specific as to whether the sales representative discussed complication rates other G2 or Recovery filter with implanting physician and does not ask about "the class of filters".			
RIIING	Sustain	Overrule	Sustain	Sustain		Overrule	Overrule			
DESIGNATIONS	102:04-102:22	102:24-103:03	103:06-103:20	103:12-103:18	104:08-105:09	105:10–106 03	106:06–106:11	107:10–107:14	107:17–107:22	108:01–108 07
DEPONENT	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017		
DESIGNEE	DEF COUNTER	PL АБНВМ	PL AFFIRM	DEF COUNTER	PL AFFIRM	DEF COUNTER	DEF COUNTER	DEF COUNTER	DEF COUNTER	DEF COUNTER

RESDONGES TO ORIECTIONS				mowledge of document. Plaintiff incorporates his running response to objections from above as though it and testified that he/she fully stated herein. This question and answer do not relate to any document and mrstances. Rules 601/602 & just asks the witness if he knows who another Bard employee is. It does not lack a knowledge of subject proper foundation or call for speculation.	mowledge of document. Plaintiff incorporates his running response to objections from above as though it and testified that he/she fully stated herein. This witness was a territory manager who was later promoted manager. Or field manager for Bard. As a territory manager and field manager he had knowledge of subject Ripport of the manager he had physician who placed Mr. Peterson's filter. As a Field Manager he had dead responsibility for the direct sales of Bard's VIC filters to implanting physicians including Dr. Goodman, the physician who placed Mr. Peterson's filter. As a Field Manager he had the added responsibility of training other territory managers who sold Bard products including the VIC filters to doctors and as a filed manager responsible for training other sales representative, what the witness knew about the IVC filters, what Bard told him about the IVC filters and what Bard did not tell him about the IVC filters object on the IVC filters is relevant to Bard's obligation to exercise reasonable care and whether Bard provided proper warnings regarding the IVC filters. The witness was asked what Bard told him. That does not call for speculation.	it and testified that he/she fully stated herein. This witness was a territory manager who was later promoted managers and field manager for Bard. As a territory manager and field manager he had managers and field manager he had manager for Bard. As a territory manager and field manager he had knowledge of subject. Responsibility for the direct sales of Bard's VC filters to implanting physicians is lis being asked to provide including Dr. Goodman, the physician who placed Mr. Peterson's filter, As a Field Manager he had the added responsibility of training other territory managers who sold Bard products including the IVC filters. As a sales representative directly responsible for selling the NC filters to doctors and as a filed manager responsible for training other sales representative, what the witness knew about the IVC filters, what Bard told him about the IVC filters and what Bard did not tell him about the IVC filters is relevant to Bard's obligation to exercise reasonable care and whether Bard provided proper warnings regarding the IVC filters. The witness was asked what Bard told him. That does not call for speculation.	it and testified that he/she fully stated herein. This witness was a territory manager who was later promoted managers of Decompose 601/602. By to field manager for Bard. As a territory manager and field manager he had moved good subject. Responsibility for the direct sales of Bard's NC filters to implanting physicians including Dr. Goodman, the physician who placed Mr. Peterson's filter, As a Field Manager he had the added responsibility of training other territory managers who sold Bard products including the IVC filters. As a sales representative directly responsible for selling the NC filters, and as a filed manager responsible for training other sales representative, what the witness knew about the IVC filters, what the witness knew about the IVC filters, what the witness knew about the IVC filters is relevant to Bard's obligation to exercise reasonable care and whether Bard provided proper warnings regarding the IVC filters. The witness was asked what Bard told him. That does not call for speculation.	by the witness. by the witness. He does a base, he doe snot know representative so "different peak to" their decision hysicians or hospital staff rsay. The testimony is not
OBJECTION				Rules 601/602 & 612 Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness is being asked to provide testimony regarding a document he specifically testifies that he has never seen hardward 11.1.2.	Rules 601/602 & 612 Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 613. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness is being asked to provide testimony regarding a document he specifically testifies that he has never seen before (111:2-3).	Rules 601/602 & 612 Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness is being asked to provide testimony regarding a document he specifically testifies that he has never seen before (111:2-3).	Rules 601/602 & 612 Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject mattet, calls for speculation by the witness. The witness is being asked to provide testimony regarding a document he specifically testifies that he has never seen before (111:2-3).	FRE 401,402,403, 602, 701, 702, 802 & 805 - 125:10-126:14 - The witness' testimony lacks a proper foundation and is speculation by the witness. He does not know if doctors or hospitals access the MAUDE data base, he does and know what conversations they have with colleagues of what representative so "different companies" tell them. The witness admits he "cannot speak to" their decision making process. The assertions "about conversations physicians or hospital staff may have with to other is hearsy and hearsay within hearsay. The testimony is not naished it is unfairly nonimital."
RIIING				Overrule	Overrule	Overrule	Overrule	Sustain
DECIGNATIONS	108:08-108:15	109:02-109:15	109:22-110:03	110:13-110:16	110:21-111:10	111:24-112:18	112:21-113:03	125:10-125:19
DEPONENT	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017	Edwards, Bill 04/11/2017
DESIGNEE	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PLAFFIRM	PL AFFIRM	PLAFFIRM	DEF COUNTER

DESIGNEE	DEPONENT	9	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Edwards, Bill 04/11/2017	125:22–126:14	Sustain	FRE 401,402,403, 602, 701, 702, 802 & 805-125:10-126:14 - The witness' testimony lacks a proper foundation and is speculation by the witness. He does not know if doctors or hospitals access the MAUDE data base, he doe snot know what conversations they have with colleagues of what representative so "different companies" tell them. The witness admits he "cannot speak to" their decision making process. The assertions "about conversations physicians or hospital staff may have with other is hearsay and hearsay within hearsay. The testimony is not reliable, it is unfairly prejudicial, confusing and misleading.	
PL AFFIRM	Edwards, Bill 04/11/2017	126:15-127:10			
PL AFFIRM	Edwards, Bill 04/11/2017	127:13-128:09			
PL AFFIRM	Edwards, Bill 04/11/2017	128:12-128:14			
PL AFFIRM	Edwards, Bill 04/11/2017	140:18-140:24 Starting with "Would you"			
PL AFFIRM	Edwards, Bill 04/11/2017	141:03-141:07			
DEF COUNTER	Edwards, Bill 04/11/2017	141:08-141:13			
DEF COUNTER	Edwards, Bill 04/11/2017	141:16-141:20			
PL AFFIRM	Edwards, Bill 04/11/2017	145:11-147:03			
PL AFFIRM	Edwards, Bill 04/11/2017	147:06-147:09			
DEF COUNTER	Edwards, Bill 04/11/2017 04/11/2017 04/11/2017	172:17–173 01	Overrule	FRE 403 - The answer to the question at 172:17-173:01 is nonresponsive, self serving and is unfairly prejudical. The question was specific as to what conversations the witness had with implanting physician or staff at the facility where the filter was placed not for an explanation what he viewed his job responsibilities to be or how he believes doctors derive their decisions. FRE 401,402,403, 602, 701, 702, 802 & 805-125:10-126:14- The witness Frestimony lacks a proper foundation and is speculation by the witness. He does not know what doctors pick-upf etc., The witness previously testflied he "cannot speak to" their decision making process. The testimony contains hearsay and hearsay within hearsay. The testimony is not reliable, it is unfairly prejudicial, confusing and misleading. FRE 403 - The answer to the question at 172:17-173:01 is nonresponsive, self serving and is unfairly prejudicial. The question was specific as to what the conversations the witness had with implanting physician or staff at the facility where the filter was placed not for an explanation whish he viewed his job responsibilities to be or how he believes doctors derive their decisions. FRE 401,402,403, 602, 701, 702, 802 & 805-125:10-136:14- The witness' testimony what doctors pick-upf etc., The witness previously testified he "cannot speak to" their decision making process. The testimony contains hearsay within hearsay. The testimony is not reliable, it is unfairly prejudicial, confusing and misleading.	
PL AFFIRM	Edwards, Bill 04/11/2017	173:17-174:02			
PL AFFIRM	Edwards, Bill 04/11/2017	174:05-174:06			

OBJECTION
Relevance questions/testimony relating to FDA 510k approval are not relevant as 5.10k clearance is not a determination of safety or effectiveness. Further, evidence or reference to 510k approval could mislead and confuse the jury. Plaintiff incorporates his Motion in Limine on the issue.
Relevance questions/testimony relating to FDA 510k approval are not relevant as 510k clearance is not a determination of safety or effectiveness. Further, evidence or reference to 510k approval could mislead and confuse the jury. Plaintiff incorporates his Motion in Limine on the issue.
Relevance questions/testimony relating to FDA 510k approval are not relevant as 510k clearance is not a determination of safety or effectiveness. Further, evidence or reference to 510k approval could mislead and confuse the jury. Plaintiff incorporates his Motion in Limine on the issue.

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DESIGNEE DEFRI ANKET	DEPONEINI	DESIGNATIONS	ROLING	o this tactimony in its antiraty. Ms Edwards left Bard 7 years hafore	ESPONSES IO OBJECTIONS
OBJECTION				out objects to this seaming this entirety was cowards let both years before the Eclipse filter at issue in this case was implanted and her testimony relates to requisitory submissions regarding the Recovery filter.	
PL AFFIRM	Edwards, Mary 01/20/2014	7:03-7:05			
PL AFFIRM	Edwards, Mary 01/20/2014	22:11-22:14			
PL AFFIRM	Edwards, Mary 01/20/2014	23:03-23:04			
PL AFFIRM	Edwards, Mary 01/20/2014	23:07			
PL AFFIRM	Edwards, Mary 01/20/2014	26:17-26:19			
PL AFFIRM	Edwards, Mary 01/20/2014	32:08-32:22			
PL AFFIRM	Edwards, Mary 01/20/2014	34:12-34:20			
PL AFFIRM	Edwards, Mary 01/20/2014	35:09-35:14			
PL AFFIRM	Edwards, Mary 01/20/2014	35:20			
PL AFFIRM	Edwards, Mary 01/20/2014	36:10-36:14			
PL AFFIRM	Edwards, Mary 01/20/2014	38.04-38.21	Overrule	Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct and efforts in development of the Recovery Filter (which Resistance). Threlevant and any probative value outweighed by prejudicial effort, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. see 38:22-39:2. This testimony Threlates to a witness that left Bard 7 years before the plaintiff's filter was implanted the and a regulatory submission related to the Recovery filter, which is not at issue in this case. This testimony has no relevance to the facts of this case, particularly kilts case. This testimony has no relevance to the facts of this case, particularly given that plaintiff's punitive damages claim has been dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that we felter when the risk of fracture, migration and death associated with the filter rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially the Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hirred after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary	38:22-39:02			
PL AFFIRM	Edwards, Mary	46:13-46:18			
PL AFFIRM	Edwards, Mary 01/20/2014	58:03-58:08 Redact "causing death" (58 S)	Sustain	Even with death redacted this testimony is not relevant to the issue or filter in this fracture, migration, perforation and death are risks involved in the use of the case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with plaintiff's punitive damage sciling dismissed. The Recovery and Eclipse filters and are relevant to whether there is a design defeat factors and any probative value outweighed by the Endingent of the filter state of the religingent of the filter state of the relevant to each of Plaintiff's claim dismissed. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard it medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter same with minor modifications.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	58:11-58:13 subject to objection Delete "another death from" on lines 11 and 12. On line 13 stop after clot			
DEF COUNTER	Edwards, Mary 01/20/2014	58:17-58:24 subject to objection			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Mary 01/20/2014	59:24-60:0b	Overrule	Kules 40.1, 40.3, 40.3 – Testmony does not involve litter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Palantiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Recovery and Eclipse filters and are earlier are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of plaintiff's claim. The Eclipse is essentially a Eclipse and are relevant to each of plaintiff's claim. The Eclipse is essentially a Eclipse and are relevant to each of plaintiff's claim. The tchipse is essentially a Eclipse and are relevant to was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the EDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the EDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	60:07-60:17			
DEF COUNTER	Edwards, Mary 01/20/2014	69:09-69:15			
DEF COUNTER	Edwards, Mary	subject to objection 69:17			
DEF COUNTER	Edwards, Mary 01/20/2014	subject to objection 69:19-69:23			
PL AFFIRM	Edwards, Mary 01/20/2014	69:24-70:06			
DEF COUNTER	Edwards, Mary 01/20/2014	70:07-71:03			
PL AFFIRM	Edwards, Mary 01/20/2014	71:21-71:25			
DEF COUNTER	Edwards, Mary	72:15–73:13			
PL AFFIRM	Edwards, Mary 01/20/2014	73:14-73:23			
PL AFFIRM	Edwards, Mary 01/20/2014	74:02-74:08			
DEF COUNTER	Edwards, Mary 01/20/2014	74:09-74:12 subject to objection			
PL AFFIRM	Edwards, Mary 01/20/2014	74:13-74:14			
DEF COUNTER	Edwards, Mary 01/20/2014	77:09-77:19 subject to objection			
PL AFFIRM	Edwards, Mary 01/20/2014	77:20-77:23	Sustain	Recovery and Edipse filters and death are risks involved in the use of the knowledge of subject matter, calls for speculation by the witness. See 77:9-16. The Recovery and Edipse filters and are relevant to whether there is a design defect, witness is being asked about facts and circumstances about which she has no personal knowledge. Rules 401, 402, 403 – Testimony does not involve filter at were known to Bard, and the risk of fracture, migration and death associated issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. The Edipse is essentially a Edipse design. Bard's entire case rests upon the idea through the State of the medical device section. The Edipse is essentially a Edipse design. Bard's entire case rests upon the idea through the State of the medical device section. Everything that happened to the filter from the recovery to the Edipse is relevant in this case because each filter is essentially the same with minor modifications.	Fracture, migration, perforation and death are risks involved in the use of the evecovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter sendered by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard through the 510(k) process that was pushed through by Susan Alpert, whom Bard through the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	77:24-78:11			
PL AFFIRM	Edwards, Mary 01/20/2014	78:12-79:04	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 77:9-78:2. The witness is being asked about facts and circumstances about which she has no personal knowledge. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary	80:04-80:08			
DEF COUNTER	DEF COUNTER Edwards, Mary Folywards Mary 0/2014	80:09-80:19 subject to objection			0

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	_	RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Mary 01/20/2014	193:08-193:13	Overrule	Ins testimony relates to cephalad migration onte Recovery filter. Autes 401, 402, 402, 402 – Testimony does not involve filter at issue and/or failure mode at issue; diretevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perroration and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	197:20-198 01	Overrule	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge of bout it or the circumstances. Rules 601/602 & does not have personal knowledge of subject matter, calls for speculation, witness does not have personal knowledge of subject not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Texture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Palnriff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the \$10(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	199:13-200:01 subject to objection			
PL AFFIRM	Edwards, Mary 01/20/2014	200:02-200 07	Overrule	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & GL2 Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation, by the witness. See page 199 and prior pages. The witness has repeatedly indicated she's not familiar with the document at issue. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Paintiff's calim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	203:13-204:12 Redact "It also is a migration associated with a death," (203:19-20) & "this reported death in" (203:24-25) & "because now we have a death," (204 8)	Sustain	This designation is nonsensicle as edited and does not relate to issues in this case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Tearture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the \$10(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	204:18-204:25 Subject to objection Redact "deaths and" on line 22			
PL AFFIRM	Edwards, Mary 01/20/2014	206:07-206:19	Overrule	The document discussed violates the Court's Ruling on the MII regarding Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Palantiff spunitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Extracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the \$10(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	206:20-207:24 subject to objection			

Edwards, Mary 1.20.14

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING		RESPONSES TO OBJECTIONS
5	Edwards, Mary 01/20/2014	225:05-225:10 Redact "and deaths" (225:6)	Overrule	This testimony relates to cephalad migrations of the Recovery filter. Rules 401, 1902, 403. Testimony does not involve filter at issue and/or failure mode at issue; firrelevant and any probative volue outweighed by prejudicial effect, particularly firrelevant and any probative volue outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed. Plaintiff's counsel's questions related to migration and death, which are not at issue in this case, are overly prejudicial and not relevant, particularly with plaintiff's punitive damages it claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	230:07-230:11	Overrule	Rules 601/602 & 612 Witness does not have personal knowledge of document by Witness was shown a document, was not familiar with it and testified that he/she foces not have personal knowledge about it or the circumstances. Rules 601/602 & foldes not have personal knowledge about it or the circumstances. Rules 601/602 & folded to the circumstances is used to subject matter, calls for speculation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The witness is being asked about an vernal to which she was not a party and has no personal knowledge. The author of the email in question has been deposed and, if the Court allows testimony related to the Recovery filter and migration related fatalities, the email's author is the appropriate witness to testify regarding its contents. Rules 401, 402, 403 — the strainony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with plaintiff s punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendred the Eclipse and are relevant to each of Palintiffs claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	233:22-234 03			
PLAFFIRM	Edwards, Mary 01/20/2014	238:09-238:24	Overrule	Rules 401, 402 - Testimony does not involve filter at issue and/or failure in mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly ty prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Tearture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary	238:25-239:04			
DEF COUNTER	Edwards, Mary	241:15-242:05			
DEF COUNTER	Edwards, Mary	subject to objection 244:02-244:18 subject to objection	Overrule	244:6-9 Rule 602	
PL AFFIRM	Eduzol 2014 01/20/2014	244:19-244:23	Sustain	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she folces not have personal knowledge about it or the circumstances. Rules 601/602 & Fo12. Lacks foundation, witness does not have personal knowledge of subject that matter, calls for speculation by the witness. See 241:15-242:5, 244:10-244:18. Natiles 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery tifler is not at issue in this case. This testimony is irrelevant, confusing, and overly brejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Paintiff's claim, with the filters was cleared by the FDA. The only Bard filter that was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	245;20-246:06	Sustain	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she folces not have personal knowledge about it or the circumstances. Rules 601/602 & Folce. Lacks foundation, witness does not thave personal knowledge of subject thatter, calls for speculation by the witness. See 241:15-242:5, 244:10-244:18. Naules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery tifler is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Paintiff's claim. The Eclipse is essentially a Eclipse design, Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
M	Edwards, Mary 1 20 14				76

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Mary 01/20/2014	255:08-256:24	Sustain	R 612 Witness does not have personal knowledge of document hown a document, was not familiar with it and testified that he/she personal knowledge about it or the circumstances. Rules 601/602 & Indation, witness does not have personal knowledge of subject or speculation by the witness. See 241:15-242:5, 244:10-244.18. 2, 403 – Testimony does not involve filter at issue and/or failure; Irrelevant and any probative value outweighed by prejudicial larly with Plaintiff's punitive damages claim dismissed. The Recovery issue in this case. This testimony is irrelevant, confusing, and overly ricularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Paintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	257:03-257:08	Sustain	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she foes not have personal knowledge about it or the circumstances. Rules 601/602 & f612. Lack foundation, witness does not have personal knowledge of subject that the calls for speculation by the witness. See 241.15-242.5, 244.10-244.18. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery tifler is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Palmitif's claim. The Eclipse is essentially a Eclipse design, Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	315:01-315:25	Overrule	Rules 401, 402 - 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly ty prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Palintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Beverything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	316:15-316:20	Overrule	This testimony relates to cephalad migrations of the Recovery filter. Rules 401, 7402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; firelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff southive damages claim dismissed. The Recovery filter is not at particularly with plaintiffs punitive damages claim dismissed. It is not at particularly with plaintiffs punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Palintiff's claim. The Eclipse is essentially a Eclipse and are relevant to each of Palintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical edvice section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	322:01-322:20	Overrule	Rules 401, 402 - 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly tprejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Palintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING		RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Mary 01/20/2014	323:20-323:25	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	331:13-331:24	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff s punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	332:01-332 04	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff s punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary	332:05-334:06			
PL AFFIRM	Edwards, Mary 01/20/2014	334:24-335 04	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	335:14-335:18	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired afters he left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary	335:18-335:21			
DEF COUNTER Edwards, Ma	Edwards, Mary 1.2000144	336:18-337:03 subject to objection	Sustain	336:21-337:2 - non-responsive	96

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Mary 01/20/2014	337.04-337.15	Overrule	Argumentative and harassing. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	337:19-337:20	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Extracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter sendered the Eclipse design. Bard's entire case rests upon the idea through the 510(k) process that was pushed through by Susan Alpert, whom Bard hirred after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.
DEF COUNTER	Edwards, Mary	346:16-346:19			
DEF COUNTER	Edwards, Mary 01/20/2014	346:21-347:22			
DEF COUNTER	Edwards, Mary 01/20/2014	347:24-348:09			
PL AFFIRM	Edwards, Mary 01/20/2014	348:10-348:16	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Painniff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Tracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter sendered the Eclipse design. Bard's entire case rests upon the idea through the 510(k) process that was pushed through by Susan Alpert, whom Bard through the 510(k) process that was pushed through by Susan Alpert, whom Bard through the 510(k) process that was pushed through by Susan Alpert, whom Bard through the Filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.
DEF COUNTER	Edwards, Mary 01/20/2014	349:02-349:21 subject to objection			
DEF COUNTER	Edwards, Mary 01/20/2014	349:23-350:01 subject to objection			
PL AFFIRM	Edwards, Mary 01/20/2014	350:02-350 07	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Painniff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Practure, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Extracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Edwards, Mary 01/20/2014	350:14-350:17	Overrule	Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 and 3 – Fall month does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and ebath are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.
DEF COUNTER	Edwards, Mary 01/20/2014	350:18-350:22 subject to objection			
PL AFFIRM	Edwards, Mary 01/20/2014	350:23-350:25	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard through the ECLIPse left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	353:07-353:12	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
PL AFFIRM	Edwards, Mary 01/20/2014	353:14	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hirrough the ECLIPse left the FDA handy been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	353:15-353:22 subject to objection			
DEF COUNTER	Edwards, Mary 01/20/2014	353:25-354:01 subject to objection			
DEF COUNTER	Edwards, Mary 01/20/2014	358:01-358:14 subject to objection			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFFIRM	Edwards, Mary 01/20/2014	358:15 - 358:17) Redact "deaths" (358:17)	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweigned by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the Recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications.
DEF COUNTER	Edwards, Mary 01/20/2014	365:03-365:17 subject to objection			
PL AFFIRM	Edwards, Mary 01/20/2014	366:22-367 05	Overrule	Rules 601/602 & 612 Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. She no longer worked at Bard when it was written. See, 366:5-7. The witness is asked about a document that post-dates her employment at Bard and about which she has no personal knowledge. See 366:1-7. Rules 401, 402, 403 - Testimony does not nivolve filter at issue and/or failure mode at issue, irrelevant and any probative viauvo outweighed by prejudical effect, particularly with Paintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea that the filter was cleared by the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.
PL AFFIRM	Edwards, Mary 01/20/2014	382:07-382:11	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; Intelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the recovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design. Bard's entire case rests upon the idea through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA. The only Bard filter that was cleared, went through the 510(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medical device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.
PL AFFIRM	Edwards, Mary 01/20/2014	382:13-382:18	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; Intelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. The Recovery filter is not at issue in this case. This testimony is irrelevant, confusing, and overly prejudicial, particularly with plaintiff's punitive damages claim dismissed.	Fracture, migration, perforation and death are risks involved in the use of the excovery and Eclipse filters and are relevant to whether there is a design defect. Fracture, migration, perforation and death are also dangers of the Eclipse filter that were known to Bard, and the risk of fracture, migration and death associated with the filters rendered the Eclipse and are relevant to each of Plaintiff's claim. The Eclipse is essentially a Eclipse design, Bard's entire case rests upon the idea that the filter was claesed by when though the S10(k) process that was pushed through by Susan Alpert, whom Bard hired after she left the FDA. He was pushed through by Susan Alpert, whom Bard hired after she left the FDA having been in charge of the medicial device section. Everything that happened to the filter from the recovery to the Eclipse is relevant in this case because each filter is essentially the same with minor modifications. Further, the witness has established her knowledge of the subject matter of the question through her own testimony.
DEF COUNTER	Edwards, Mary 01/20/2014	382:19-382:21 subject to objection			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF BLANKET OBJECTION				intain that evidence of the 510(k) clearance process should be sentirety, as will be addressed in Plaintiffs' motion in limine. This made conditionally and will be withdrawn if the Court grants made conditionally and will be	
DEF BLANKET OBJECTION				The testimony in this deposition relates entirely, or in significant part, to the design of the Recovery filter and actions taken regarding that filter. Bard objects to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its MIH.2. The testimony is largely focused on alleged "bad acts" relating to the	
PL AFFIRM	Ganser, Chris 10/11/2016	6:24-7:02			
PL AFFIRM	Ganser, Chris 10/11/2016	7:08-7:10			
PL AFFIRM	Ganser, Chris	14:13-14:23 heginning "You were "			
DEF COUNTER	Ganser, Chris 10/11/2016	14:18-15:08			
PLAFFIRM	Ganser, Chris 10/11/2016	36:15-37:02	Sustain	Rules 401, 402-there is no failure to recall claim. Testimony does not relate to filter at issue or time period when the filter at issue was on the market.	Bard chose to market the Eclipse filter using the \$10(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter scomplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Ganser, Chris 10/11/2016	45:12-46:05	Overrule	Rules 401, 402 and 403. There is no allegation in this case that the Eclipse filter was adulterated.	Bard chose to market the Eclipse filter using the \$10(R) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
PLAFFIRM	Ganser, Chris 10/11/2016	46:11-46:12	Overrule	Rules 401, 402 and 403. There is no allegation in this case that the Eclipse filter was adulterated.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter scomplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Cambbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
PLAFFIRM	Ganser, Chris 10/11/2016	46:16-46:21	Overrule	Rules 401, 402 and 403. There is no allegation in this case that the Eclipse filter was adulterated.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter scomplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.

Ganser 10.11.16

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Ganser, Chris 10/11/2016	49:06-49:08	Overrule	Rules 401, 402 and 403. There is no allegation in this case that the Eclipse filter was adulterated.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter scomplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the Issues of Bard s design and warning failures.
PL AFFIRM	Ganser, Chris 10/11/2016	49:15-49:21	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understoad only in the context of the entire filter-line development. Testimony regarding the Recovery filter scomplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Ganser, Chris 10/11/2016	50:11-50:24	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The reference is not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
DEF COUNTER	Ganser, Chris 10/11/2016	51:01-51:09	Overrule	FRE 402/403: testimony regarding the FDA clearance process is irrelevant, and more prejudicial and potentially confusing than probative, for the reasons and algesussed in Plaintiff's motion in limine to exclude reference to the FDA clearance process.	
DEF COUNTER	Ganser, Chris 10/11/2016	52:02-53:07			
PL AFFIRM	Ganser, Chris 10/11/2016	53:08-54:01	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter scomplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Ganser, Chris 10/11/2016	54:15-54:24	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter so complications, testing and design is relevant and is not outwelghed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
DEF COUNTER	Ganser, Chris 10/11/2016	55:01-55:10 subject to objection			

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	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Ganser, Chris 10/11/2016	55:14-55:21	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Edipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Edipse trace their design history to the Recovery filter and the defects in the Edipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Ganser, Chris 10/11/2016	57:19-57:23*			
PL AFFIRM	Ganser, Chris 10/11/2016	58:10-58:14			
PL AFFIRM	Ganser, Chris 10/11/2016	58:17			
PL AFFIRM	Ganser, Chris 10/11/2016	71:05-71:18 beginning "I'm going"			
PL AFFIRM	Ganser, Chris 10/11/2016	73:11-73:18 beginning "And"			
PL AFFIRM	Ganser, Chris 10/11/2016	74:12-74:19 beginning "you know"			
PL AFFIRM	Ganser, Chris 10/11/2016	81:17-82:01	Sustain	Rule 401, 502 and 403-the duty to warn in Oregon goes to the physican no the patient-this implies that Bard had a duty to the plaintiff	no such implication in the question.
PL AFFIRM	Ganser, Chris 10/11/2016	83:04-83:09			
PL AFFIRM	Ganser, Chris 10/11/2016	83:21-84:05			
PL AFFIRM	Ganser, Chris 10/11/2016	94:21-95:09 Redact "about a death" (94:23)			
PL AFFIRM	Ganser, Chris	108:13-108:19			
PL AFFIRM	Ganser, Chris 10/11/2016	121:12-122:02			
DEF COUNTER	Ganser, Chris 10/11/2016	122:04-124:01	Overrule	(122:04-14) Objection to designation of answer without a question.	
PL AFFIRM	Ganser, Chris 10/11/2016	123:19-124:10			
DEF COUNTER	Ganser, Chris 10/11/2016	125:12-125:18			
DEF COUNTER	Ganser, Chris 10/11/2016	126:02-126:10			
PL AFFIRM	Ganser, Chris 10/11/2016	128:02-128:15			
PLAFFIRM	Ganser, Chris 10/11/2016	133:09-133:23 Redact "and to potentially cause death" (133:12)	Overrule	Rules 401, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
DEF COUNTER	Ganser, Chris 10/11/2016	152:08-152:15	Overrule	FRE 602/702: Witness lacks personal knowledge to answer and is not qualified as an expert to give this testimony. FRE 402/403: testimony that filters stop clots is inadmissible for the reasons discussed in Plaintiffs' omnibus motion in limine.	
DEF COUNTER	Ganser, Chris 10/11/2016	156:24-157:07 subject to objections	Overrule	FRE 602/702: Witness lacks personal knowledge to answer and is not qualified as an expert to give this testimony. FRE 402/403: testimony that filters stop clots is inadmissible for the reasons discussed in Plaintiffs' omnibus motion in limine.	

to cephalad migration only the cases of death. (MDL Doc. 10819). The 12/17/2004 HHE was admitted with redactions in Jones and Hyde. 103				1.16	Ganser 10.1 <mark>1</mark> .16
Definition includes interial preduits, it is a matter of usegree only. The teterine is not to caphalad migration death from the Recovery filter. Judge Campbal migration death from the Recovery filter. Judge Campbal process from the Recovery filter to the Eclipse and did not exclude all references					
experienced perforation, migration, fracture and embedment. This testimony goes infectly to the issues of Bard do Sesign and warning failures. Perforation by definition includes them also because it is a matter of dense and the adeasment.					
modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has					
design is relevant and is not outweighted by any prejudicial effect. Judge Campbell	מוזה כמסר מוזים אונחיכת זה מוסיכת חווף מודי הכלילים ון זורים ב				
Eclipse design only can be understood only in the context of the entire filter-line	puritive damages claim dismissed. There is no alegation of internal bleeding in				
Band chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the	Kules 401, 403. 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any	Overrule	182:02-182:19 Redact 182:5-182:8	Ganser, Chris 10/11/2016	PL AFFIRM
directly to the issues of Bard's design and warning failures.					
whether a particular failure mode has occurred; nowever, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes					
agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter					
development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell					
Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line	probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.		recognize")		
Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the	Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any	Overrule	174:15-174:22 beginning ("do you	Ganser, Chris 10/11/2016	PL AFFIRM
experience perioration, migration, riacture and embeunent. This testimony goes directly to the issues of Bard's design and warning failures.					
modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has					
design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure					
Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and	punitive damages claim dismissed.				
the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the	regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's			10/11/2016	
Bard chose to market the Eclipse filter using the 510(k) process which relied upon	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence	Overrule	173:19-174:01	Ganser, Chris	PLAFFIRM
experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.					
modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has					
design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure					
Edipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filters complications, testing and	punitive damages claim dismissed.				
the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the	regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s			10/11/2016	
Bard chose to market the Eclipse filter using the 510(k) process which relied upon	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence	Overrule	170:13-170:22	Ganser, Chris	PL AFFIRM
experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard's design and warning failures.					
modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has					
design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. IMDI, Order No. 108191. The failure					
Eclipse design only can be understood only in the context of the entire filter-line playablement. Testimony reparding the Recovery filters complications testing and	punitive damages claim dismissed.				
the Recovery filter as the predicate. All G2 filter platform filters, including the Edison their broad the All G2 filter platform filters, including the	regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probation outstocked the projudical offers proficulturing being the			10/11/2016	
RESPONSES TO OBJECTIONS Band those to market the Filine filter using the \$10(k) process which relied unon	OBJECTION Rules 401 402 403 – Testimony relates to irrelevant and prejudicial evidence	RULING	DESIGNATIONS	Ganser Chris	DESIGNEE

Ganser 10.11.16

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PL AFFIRM PLAFIRM PLAF	DEPONENT Ganser, Chris 10/11/2016	238:04-238:05	Overrule Overrule	UBLC I ION Improper question-implies witness is not under oath. Rules 401, 402, 403 – Improper question-implies witness is not under oath. Rules 401, 402, 403 – I restimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Also, implies that duty to warn is to the patient.	KENDUNSES 10 OBJECTIONS Bard chose to market the Eclipses filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10919]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard's design and warning failures.
DEF COUNTER	Ganser, Chris 10/11/2016	253:20-254:01 subject to objections			
PL AFFIRM	Ganser, Chris 10/11/2016	254:02-254:08	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Ecelipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are nelevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture and embedment. This testimony goes directly to the issues of Bard s design and warning failures.
DEF COUNTER	Ganser, Chris 10/11/2016	254:09-254:16 subject to objections			
PL AFFIRM	Ganser, Chris 10/11/2016	291:14-292:03			
PL AFFIRM	Ganser, Chris 10/11/2016	293:05-293:12			
PL AFFIRM	Ganser, Chris 10/11/2016	295:15-296:01			
PL AFFIRM	Ganser, Chris 10/11/2016	296:08-296:16 Redact "or death" (296:14)			
PL AFFIRM	Ganser, Chris 10/11/2016	296:22-297:10			
PL AFFIRM	Ganser, Chris 10/11/2016	298:03-298:06			
PL AFFIRM	Ganser, Chris 10/11/2016	299:01-299:06			
PL AFFIRM	Ganser, Chris 10/11/2016	300:11-301:03			
PL AFFIRM	Ganser, Chris 10/11/2016	301:05-301:13			
PL AFFIRM	Ganser, Chris 10/11/2016	301:15-301:21			
PL AFFIRM	Ganser, Chris 10/11/2016	302:14-302:21			
PL AFFIRM	Ganser, Chris 10/11/2016	324:21-324:23			
PL AFFIRM	Ganser, Chris 10/11/2016	326:23-327:09	Sustain	Rules 401, 402 and 403	The witness's hours of preparation with Bard lawyers goes to his credibility.

DECIGNEE	DEDONENT	DECICALATIONS	ONLING	OBJECTION	DESPONSES TO OBJECTIONS
PL AFFIRM	Garcia, David	11:12-11:17			יירטר סייטרט וויירט וויירט סייטרט וויירט ווי
DI AEFIRM	6/18/2020 Garcia David	14.01_14.03			
rt Arrinivi	6/18/2020	67.41-14.63			
PL AFFIRM	Garcia, David 6/18/2020	15:15-15:16			
PL AFFIRM	Garcia, David 6/18/2020	15:24-16:05 beginning with "And your"			
PL AFFIRM	Garcia, David	16:14-16:21			
PL AFFIRM	Garcia, David 6/18/2020	16:22-17:01 beginning with "And			
PL AFFIRM	Garcia, David	18:20-19:03			
PL AFFIRM	Garcia, David 6/18/2020	19:18-20:07			
PL AFFIRM	Garcia, David 6/18/2020	20:09-21:01			
PL AFFIRM	Garcia, David 6/18/2020	21:05-21:13			
PL AFFIRM	Garcia, David 6/18/2020	21:20-21:23			
PL AFFIRM	Garcia, David 6/18/2020	22:02-23:07 beginning with "Just Briefly"			
DEF COUNTER	Garcia, David 6/18/2020	23:08-23:16			
PL AFFIRM	Garcia, David 6/18/2020	23:17-24:07			
PL AFFIRM	Garcia, David 6/18/2020	24:21-25:14 beginning with "Just did"			
PL AFFIRM	Garcia, David 6/18/2020	25:24-26:18			
PL AFFIRM	Garcia, David 6/18/2020	26:22-29:01			
PL AFFIRM	Garcia, David 6/18/2020	29:07-29:12			
PL AFFIRM	Garcia, David 6/18/2020	29:21-30:17			
PL AFFIRM	Garcia, David 6/18/2020	31:01-32:23			
PL AFFIRM	Garcia, David 6/18/2020	33:22-34:02			
PL AFFIRM	Garcia, David 6/18/2020	34:06-34:15			
PL AFFIRM	Garcia, David 6/18/2020	35:24-37:11			
PL AFFIRM	Garcia, David 6/18/2020	38:20-39:14	Overrule	Rule 611(c). Leading question of witness on direct.	
PL AFFIRM	Garcia, David 6/18/2020	39:18			
PL AFFIRM	Garcia, David 6/18/2020	39:20-40:07			
PL AFFIRM	Garcia, David 6/18/2020	40:09-40:22			
PL AFFIRM	Garcia, David 6/18/2020	41:03-41:06			
PL AFFIRM	Garcia, David 6/18/2020	42:04-42:08	Overrule	Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fornation report was timely as well. All were provided well hefror this croservation denosition.
PL AFFIRM	Garcia, David 6/18/2020	42:13-42:16	Overrule	Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fornation report was timely as well. All were provided well harve rules that his crosevuation report was timely as well. All were provided well harve constitution denotified.
PL AFFIRM	Garcia, David 6/18/2020	42:21-50:15	Overrule	(42:21-46:11) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	timely and updasted his opinions in new data such as new studies. Several co port was timely as well. All were provided
Garcia 6 18 20	07				before this preservation deposition 106

DESIGNEE	DEPONENT	DESIGNATIONS	RULING		in and produced bit and in
PL AFFIRM	6/18/2020	51:03-57:25	Overluie	15.1.16.5.7.2.3) Object to undisclosed expert opinion: Detendants object because with the MDL orders on new data such as new studies. Severthe opinions in this testimony were not disclosed in Dr. Garcia s expert report in have ruled that the Clot formation report was timely as well. All were property and the clot formation report was timely as well. All were property and opinions are consistent of the constitution of the c	writess fully disclosed his opinions unley and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot formation report was timely as well. All were provided well before this preservation denosition
PL AFFIRM	Garcia, David 6/18/2020	58:03-59:01 beginning with "Is a"	Overrule	Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. Witness fully disclosed his opinions timely and updasted his opinions in the MDL orders on new data such as new studies. Seve have treated the clot fornation report was timely as well. All were properties to constitute the control of the clot of the control or the clot of the clot	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts shave ruled that the clot formation report was timely as well. All were provided well hefore this crosscovation dennostinin
PL AFFIRM	Garcia, David 6/18/2020	60:18-61:21	Overrule	(60.18-61.21) Object to undisclosed expert opinion: Defendants object because Witness fully disclosed his opinions timely and updasted his opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. Accordance with the MDL orders on new data such as new studies. Seve the MDL. Have received that the clot formation report was timely as well. All were properties the MDL.	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the coff ormation report was timely as well. All were provided well hefore this crosecuation denocation.
PL AFFIRM	Garcia, David 6/18/2020	62:14-65:03	Overrule	(63:21-65:03) Object to undisclosed expert opinion: Defendants object because Witness fully disclosed his opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL orders on new data such as new studies. Seve the MDL. Have received the clot formation report was timely as well. All were properties the MDL.	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts abser used that the clot formation report was timely as well. All were provided well habre the absorbance and a contract was timely as well. All were provided well habre this crosscoration denocition
PL AFFIRM	Garcia, David 6/18/2020	66:05-66:24	Overrule	(66:29-66:24) Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which is denied, is outweighed by the perjudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this 'refficacy' debate. Injection of these articles significantly expands the scope of evidence at this risal, while obfuscating the facts that are actually relevant to Plaintiff's claims, it.e., that Band was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive by prejudice and confusion.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
PLAFFIRM	Garcia, David 6/18/2020	68:25-69:20	Overrule	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 1. Witness fully disclosed his opinions timely and updasted his opinions in 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is deried, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this 'efficacy of filters is relevant to whether or not filters are efficacious. His rail, while obtruscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. Object to undisclosed expert opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the colf ofmation report was timely as well. All were provided well before this proservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
PLAFFIRM	Garcia, David 6/18/2020	70:07-70:12	Overrule	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from a 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by which is denied, is outweighed by the prejudice and confusion caused by the prejudice and confusion caused by the prejudice and confusion caused by the prejudice and confusion. 2. Of course medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" (efficacy of filters is relevant to whether or not filters are efficacious. Lee, that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
PL AFFIRM	Garcia, David 6/18/2020	70:20-72:11	Overrule	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Severa limited to negligent design and failure to warn claims. Any purported relevance, which are which is denied, is outweighed by the prejudice and confusion. 1. Witness fully disclosed his opinions timely as new studies. Severa limited to medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy of filters is relevant to whether or not filters are efficacious. evolving and growing, and there are many articles on both sides of this "efficacy of filters is relevant to whether or not filters are efficacious. evolving and growing, and there are many articles on both sides of this "efficacy of filters is relevant to whether or not filters are efficacious. evolving and growing, and there are many articles on both sides of this "efficacy of filters is relevant to whether or not filters are efficacious. evolving the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's puntitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion.	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
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BESDONSES TO OBJECTIONS	1. With control of the control of th	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned reseacher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predictate product for the G2 line of filters which includes the Eclipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcis's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 3. All failure modes are at itsel are the jury will be deciding the risk/benefit and that is as to all risks—as it is all risks upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot formation report was timely as well. All were provided well before this preservation deposition.
OBJECTION	(73:21-25) Rule 611(c) Leading question of witness on direct. Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, owhich is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion.	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive admanages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. (74:6-10, 74:25-3) Rule 611(c) Leading question of witness on direct.	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligand design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. (75 8-10) Rule 611(c) Leading question of witness on direct, Compound question, coursel is testifying. Rule 704 Witness is offering opinion on ultimate issue in the case.	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Paintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard wass ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusions. Rule 611(c) Leading question of witness on direct, compound question, counsel is testifying. Rule 704 Witness is offering opinion on ultimate issue in the case. (78:05-78:24 (ending with "what")) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."
DITTING	Overrule	Overrule	Overrule	Overrule
DESIGNATIONS	72:23-73:25	74:06-75:03	75:08-77:01	77:04-78:20
DEDONENT	Garcia, David 6/18/2020	Garcia, David 6/18/2020	Garcia, David 6/18/2020	Garcia, David 6/18/2020
DECIGNEE	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM

DESIGNEE	DEPONENT	DESIGNATIONS	BIIIING	ORIECTION	RESPONSES TO ORIECTIONS
PL AFFIRM	Garcia, David 6/18/2020	79:14-80:14	Overrule	Defendants object on the basis of Rules 400, 402, and 403. Medical literature from 1. 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are acclimited to negligent design and failure to warn claims. Any purported relevance, ha which is denied, is outweighed by the perjudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, the thirt and was negligant in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. Rule 611(c) Leading question of witness on direct, compound question, coursel is estifying. Rule 704 Witness is offering opinion on ultimate issue in the case. (80:15-81:19) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. (85:14-21) Object to undisclosed expert opinion.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clof fomation report was timely as well. All were provided well hefore this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
PL AFFIRM	Garcia, David 6/18/2020	81:24-85:21	Overrule	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 1. 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, ha which is denied, is outweighed by the prejudice and confusion caused by which is denied, is outweighed by the prejudice and confusion caused by which is denied, is outweighed by the prejudice and confusion caused by evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of this literature is significantly expands the scope of evidence at this rial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was negligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. Rule 611(c) Leading question of witness on direct, compound question, coursel its sestifying. Rule 704 Witness is offering opinion on ultimate issue in the case. (80:15-81:19) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
PL AFFIRM	Garcia, David 6/18/2020	85:24-89:06	Overrule	Defendants object on the basis of Rules 400, 402, and 403. Medical literature from 1. 10017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, ha which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of this letterature is the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of this letterature is except of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was negligient in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. Rule 611(c) Leading question of witness on direct. Restifying the 611, compound question, leading. Rule 704 witness (and counsel) are offering opinion on the ultimate issue in the case. Counsel is making closing argument. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fornation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.

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Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obtuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. Walle 611(c) Leading question of witness on direct. Rules 401, 402, 403. Irrelevant and unfairly prejudicial. Counsel is testifying Rule 611, compound question, leading. Rule 704 witness is offering opinion on the ultimate issue in the case. (89:10-23) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.
Overrule (90:08-91:17) Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion.
Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. "This case does not involve the Recovery Filter."
Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion.
Nerrule Rule 611(c.) Leading question of witness on direct. Question is compound, vague, and non-sensical. Answer is cut off and unclear.

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RESPONSES TO OBJECTIONS	Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot formation report was timely as well. All there provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.	1. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot formation report was timely as well. All were provided well before this preservation deposition. 2. Of course medical literature regarding efficacy of filters is relevant to whether or not filters are efficacious.
OBJECTION	(96:10-98:2) Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trail, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion.	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Paintiff's claims in this case, which are 2017, 2018, etc., has no relevance on Paintiff's claims in this case, which are 2017, 2018, etc., has no relevance on Paintiff's claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly (98:15-100:18) Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Paintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was limplanted in Paintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. (101:21-102:3) Leading, compound question.	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Plaintiff's claims in this case, which are limited to negligate design and failure to warn claims. Any purported relevance, which is denied, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obfuscating the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was ngeligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. (102.9) Leading, compound question, 102:20-103:17) Relevance to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	Defendants object on the basis of Rules 401, 402, and 403. Medical literature from 2017, 2018, etc., has no relevance on Paintiff's claims in this case, which are limited to negligent design and failure to warn claims. Any purported relevance, which is delired, is outweighed by the prejudice and confusion caused by introduction of this literature, as the body of medical literature is constantly evolving and growing, and there are many articles on both sides of this "efficacy" debate. Injection of these articles significantly expands the scope of evidence at this trial, while obsuscant the facts that are actually relevant to Plaintiff's claims, i.e., that Bard was negligent in the design or warning of the filter in 2010, which is when it was implanted in Plaintiff. Particularly given that plaintiff's punitive damages claim has been dismissed, any relevance, which is denied, is outweighed by prejudice and confusion. (102.9) Leading, compound question. 102:20-103:17) Rule 704 Witness is offering opinion on the ultimate issue in the case. (103:18–104:21) Object to undisclosed expert opinion: Dr. Garcia s expert report in the MDL.
RULING	Overrule	Overrule	Overrule	Overrule
DESIGNATIONS	95:21-98:02	98:15-102 03	102:09-103:03	103:07-103:14
DEPONENT	Garcia, David 6/18/2020	Garcia, David 6/18/2020	Garcia, David 6/18/2020	Garcia, David 6/18/2020
DESIGNEE	PLAFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM

DESIGNRE PLAFFIRM	DEPONENI Garcia, David 6/18/2020	DESIGNATIONS 112:03-112:17	Sustain Sustain	UBJECTION Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue irrelevant and any probative value outweigned by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter, nor does it involve morbidly obese patients."	KENDIASE 10 OBLECTIONS. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 2. This goes to the risk of the filter involved whether soecific to this patient's obesity.
PL AFFIRM	Garcia, David 6/18/2020	113:08-113:19	Sustain	(113:15-113:19) Rules 401, 402, 403 Irrelevant and unfairly prejudicial. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter, nor does it involve morbidly obese patients."	1. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has to to ben since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 2. This goes to the risk of the filter involved whether soecific to this patient's obesity.
PL AFFIRM	Garcia, David 6/18/2020	113:23-114:02	Sustain	(113:23-114:2) Rules 401, 402, 403 Irrelevant and unfairly prejudicial. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter, nor does it involve morbidly obese patients."	1. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has to to been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 2. This goes to the risk of the filter involved whether soecific to this patient's obesity.
PLAFFIRM	Garcia, David 6/18/2020	114:05-114:09	Sustain	Rules 401, 402, 403 Irrelevant and unfairly prejudicial. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter, nor does it involve morbidly obese patients."	1. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has too been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 2. This goes to the risk of the filter involved whether soecific to this patient's obesity.
PL AFFIRM	Garcia, David 6/18/2020	114:11-114:22	Sustain	These opinions and subject matter was not properly and timely disclosed by the witness in his MDL report and, pursuant to the procedure and rules employed by Judge Campbell, should not be admissible. (114:18-114:22) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter, nor does it involve morbidly obese patients."	1. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has to to been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 2. This goes to the risk of the filter involved whether soecific to this patient's obesity.
PLAFFIRM	Garcia, David 6/18/2020	114:25-116:05	Overrule	These opinions and subject matter was not properly and timely disclosed by the witness in his MDL report and, pursuant to the procedure and rules employed by Judge Campbell, should not be admissible. (J15:16-116 5) Leading, Rules 401, 402, A03. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. Rules 401, J024, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter, nor does it involve morbidly obese patients."	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned reseracher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predicate product for the G2 line of filters which includes the Eclipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in rais filter either based on the facts starting with the Recovery. 3. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risks upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Garcia, David 6/18/2020	116:08-116:25 Redact " of deaths" (116:23)	Sustain	y, 403. Testimony does not involve filter at issue and/or failure mode want and any probative value outweighed by prejudicial effect. isclosed expert opinion: Defendants object because the opinions in sever no disclosed in Dr. Garcia s expert report in the MDL. Rules — Testimony does not involve filter at issue and/or failure mode at nt and any probative value outweighed by prejudicial effect, the Plaintiff's punitive damages claim dismissed. "This case does not ecovery Filter, nor does it involve morbidly obese patients."	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned researcher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery lifter is the initial predicate product for the G2 line of filters which includes the Edipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 3. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risk—as it is all insisk upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the ciof formation report was timely as well. All were provided well before this preservation deposition.
PLAFFIRM	Garcia, David 6/18/2020	117:03-117:21	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode 1 at issue; irrelevant and any probative value outweighed by prejudicial effect. Defendants also object because this testimony violates a protective order on the Lehmann Report. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. 117:10-117:21-118 testimony violates Judge Campbell's ruling in the consultant's report is protected work product. See, MDL docket 699. It would the be highly prejudicial for this expert to testify about the consultant's report when Bard has no way to respond without waiving the work product privilege. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, involve the Recovery Filter."	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned reseracher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery valuation that Bard the Eclipse filter because it was during the Recovery valuation that Bard estimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been nor anomized ointrolled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 3. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all riske- as it is all risks upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in All were provided well before this preservation deposition.5. Judge Campbell ruled that the doctoment discussed (December 2004 His Jan was admissible and it came into evidence in all three trials. Bard repeatedly attempts to keep this document out. The document Judge Campbell kept out was the actual Lehman report but ruled that the parties could discuss the findings of the report. This has been ruled in plaintiffs favor adnanceam.
PL AFFIRM	Garcia, David 6/18/2020	119:15-120:06	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Defendants also object because this testimony violates a protective order on the elemann Report. The language "which summarizes the finding of the outside scientist" must be removed in accordance with the protective order. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcias expert report in the MDL. Rules 401, it decives and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the particular involve the control of the	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is refificacious and this world renowned researcher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predicate product for the G2 line of filters which includes the Edipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Eclipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in risk filter either based on the facts starting with the Recovery. 3. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risks- as it is all risks upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Garcia, David 6/18/2020	120:08-120:13	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure amode at issue; Irrelevant and any probative value outweighed by prejudicial the ferce for particularly with Plaintiff's punitive damages claim dismissed. "This case of does not involve the Recovery Filter." Refer to a constant of the ferce of the f	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/banefit. There is no evidence that the filter is efficacious and this world renowned researcher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predicate product for the G2 line of filters which includes the Edipse. 2. The Recovery adminest of a set filters which includes the Edipse. 3. The Recovery difficacy or lack thereof is relevant to this Edipse filter because it was during the Recovery avaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 3. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risk—as it is all risk upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition.
PL AFFIRM	Garcia, David 6/18/2020	120:20-122:03	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode 1. at issue; irrelevant and any probative value outweighed by prejudicial effect. this best month of the statement and any probative value outweighed by prejudicial effect, and issue; Irrelevant and any probative value outweighed by prejudicial effect, and particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter." This particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter." This particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned researcher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predicate product for the G2 line of filters which includes the Edipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Edipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in trisf filter either based on the facts starting with the Recovery. 3. All failure modes are at its a la links upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely as well. All were provided well before this preservation deposition.
PL AFFIRM	Garcia, David 6/18/2020	122:06-124:09	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighted by prejudicial effect. 124.4-124.9) Leading, assumes facts not in veidence. Object to undisclosed expert efficacious and this world renowned researcher is setting our the basis for those opinions: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. Rules 401, 402, 403— Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighted by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. "This case does not involve the recovery filter has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery 3. All failure modes at its all risk- as it is all risk- upon which the doctor's base their decision to implant.4. Witness fully disclosed his opinions in attine provided well as several courts and that is as to all risk- as it is all risk- as it is all risk- as it is all risk upon which the doctor's base their decision to implant.4. Witness fully disclosed his opinions in perfore the provided well provided well as well. All were provided well provided well and the provided well provided p	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned reseracher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predicate product for the GZ line of filters which includes the Edipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Edipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter had proven efficacy. Dr. Garcia's testimony is that there has not been since the Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the facts starting with the Recovery. 3. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risk—as it is all risk upon which the doctors base their decision to implant.4. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition.

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Garcia, David 140.14-14-05 Dovernie Objective described in C. Garcia scopera regional confidencia vibility features the basis regional of the centimony were not disclosed in D. Garcia scopera region in the basis more at sizua; process of the centimony desire and income life at sizua and of pulse and and an and any probable with satural sizual and and any probable with satural sizual and any probable with satural sizual and any probable with satural sizual satural sizual and any probable with satural sizual satural satura	PL AFFIRM	Garcia, David 6/18/2020	124:13-126:17 Redact "and death" (126:10)	Sustain	(124:13-124:6) Leading, assumes facts not in evidence. (126:16-127:4) Leading, Counsel is testifying. Rules 401, 420, 403. Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. (124:13-20; 125:2-127:23) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	1. Whether the product is efficacious (whether it works/saves lives) is relevant to the case and the evaluation of risk/benefit. There is no evidence that the filter is efficacious and this world renowned reseracher is setting our the basis for those opinions. This goes to liability for actual damages not punitive damages. The Recovery filter is the initial predicate product for the Q2 line of filters which includes the Edipse. 2. The Recovery filter's efficacy or lack thereof is relevant to this Edipse filter because it was during the Recovery evaluation that Bard conducted an analysis as to whether any filter he Recovery and other filter efficacy was studied internally and by its consultants at that time, there have been no randomized controlled trials and therefore no high quality evidence of efficacy in this filter either based on the farts starting with the Recovery. 3. All failure modes are at issue because the juvy will be deciding the risk/benefit and that is as to all risk—as it is all risk upon which the doctors base their decision to implant. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts before this preservation deposition.
Searcia, David 142.08-142.13 Overrule Inches and Searcia, David 142.08-142.13 Overrule Inches and Searcia, David 142.09-143.09 Inches and Searcia, David 142.19-143.09 Overrule Inches and Searcia, David Inches and Searcia, David Inches and Searcia, David Inches Searcia, Inches Searcia, David Inches Searcia, Inches Searcia, Inches Searcia, Inches Searcia, Inches Searcia, Inches Sea	PL AFFIRM	Garcia, David 6/18/2020	140:14-142:05	Overrule	Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL. (141:17-142:5) Leading. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	This area of testimony is related to the filter at issue and it gives background and the basis for the witness' testimony as to efficacy.Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition.
Garcia, David 147:19-143:09 Overrule Leading, (144:12-1) Rule 601/502 & 612 Lacks foundation, witness does not have 6/18/2020 Garcia, David 144:02-141:11 Overrule Leading, (144:2-1) Rule 601/502 & 612 Lacks foundation, witness does not have 9/18/2020 Garcia, David 144:14-147:14 Overrule Leading, Rules (144:2-1) Rule 601/502 & 612 Lacks foundation, witness does not have personal formation and recognition of the witness. Object to undisclosed expert opinion: Defendants object because the opinion: In the MDL Garcia, David 147:19-147:14 Overrule Leading, Rules (15) Each for undisclosed la Dr. Garcia s expert report in the MDL Garcia, David 147:19-148:10 Overrule Leading, Rules (148:8-10) Leading, Carcia, David 148:13-149:06 Overrule Compound question, (148:8-10) Leading, Carcia, David 149:10-149:13 Overrule Compound question, (148:8-10) Leading, Carcia, David 149:10-149:13 Overrule Carcia, David 149:10-149:13 Overrule Carcia, David 149:10-149:13 Overrule Carcia, David 149:10-149:13 Overrule Carcia, David Carcia, David 155:04-155:13 Overrule Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; irreleavant and any probative value outweighed by prejidicial effect, Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; irreleavant and any probative value outweighed by prejidicial effect, Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; irreleavant and any probative value outweighed by prejidicial effect, Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; irreleavant and any probative value outweighed by prejidicial effect, Rules 401, 402, and 403. Testimony does not involve the Recovery Filter. Garcia, David	PL AFFIRM	Garcia, David 6/18/2020	142:08-142:13	Overrule	Leading, cumulative. Rule 704 the witness is offering opinion on the ultimate issue in the case. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	
Garcia, David 144:14-147:14 Overrule to undisoled edge of subject matter, calls for speculation by the witness. Object to undisoled edge of subject matter, calls for speculation by the witness object in the MDL (A41:14-147:14 Overrule Leading, Rules 601/602 & 612. Lacks foundation, witness does not have personal 6/18/2020 Garcia, David 147:19-148:10 Overrule Leading. Garcia, David 149:10-149:13 Overrule (149:1-6) Leading. Garcia, David 149:10-149:13 Overrule (149:1-6) Leading. Garcia, David 149:10-149:13 Overrule Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Planniff's punity edamages claim dismissed. "This case does not involve the Recovery Filter." Doerrule Leading. Garcia, David Garci	PL AFFIRM	Garcia, David 6/18/2020	142:19-143:09	Overrule	(143:15-17) Leading.	These are all non leading questions.
Garcia, David 144:147:14 Overrule Leading, Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Non-disclosure. (144:14-147:14) Overrule the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the Annia (143:12020 Garcia, David 147:19-148:10 Overrule (149:1-6) Leading. (148:13-149:06 Overrule (149:1-6) Leading. (PL AFFIRM	Garcia, David 6/18/2020	144:02-144:11	Overrule	Leading. (144:2-11) Rule 601/502 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDL.	Nonleading. He is an expert and has knowledge of this subject matter. He is an expert and doesn t need personal knowledge of facts in literature. These opinions were disclosed.
Garcia, David 147:17 Overrule Leading.	PL AFFIRM	Garcia, David 6/18/2020	144:14-147:14	Overrule	Leading, Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Non-disclosure. (144:14-147:01) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the MDI.	Nonleading. He is an expert and has knowledge of this subject matter. He is an expert and doesn t need personal knowledge of facts in literature. These opinions were disclosed.
Garcia, David 147:19-148:10 Overrule Compound question. (148:8-10) Leading. 6/18/2020 148:13-149:06 Overrule (149:1-6) Leading. (149:1-6)	PL AFFIRM	Garcia, David 6/18/2020	147:17	Overrule	Leading.	this is an answer.
Garcia, David 148:13-149:06 Overrule (149:1-6) Leading.	PL AFFIRM	Garcia, David 6/18/2020	147:19-148:10	Overrule	Compound question. (148:8-10) Leading.	Neither compund nor leading.
Garcia, David 149:13 Garcia, David 6418/2020 151:10-151:20 Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter." Garcia, David Garcia, David 155:14-155:20 Overrule Speculation Speculation	PL AFFIRM	Garcia, David 6/18/2020	148:13-149:06	Overrule	(149:1-6) Leading.	This is a full section of many questions and answers. None are leading but if any were the defense would need to point out which one or ones were.
Garcia, David 151:10-151:20 6/18/2020 6/18/2020 Garcia, David 6/18/2020 Garcia, David 6/18/2020 Garcia, David Garcia, David Garcia, David Garcia, David 155:14-155:20 Garcia, David Garcia, David Garcia, David 155:14-155:20 Overrule Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter." Garcia, David Garcia, David Garcia, David Speculation Speculation	PL AFFIRM	Garcia, David 6/18/2020	149:10-149:13			
Garcia, David 155:04-155:13 Overrule Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighted by prejudicial effect. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighted by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter." Garcia, David 155:14-155:20 Overrule Speculation	DEF COUNTER	Garcia, David 6/18/2020	151:10-151:20			
Garcia, David 155:14-155:20 Overrule	PL AFFIRM	Garcia, David 6/18/2020	155:04-155:13	Overrule	Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	Bard claims its Recovery is substantially equivalent to the G2 and therefore the Eclipse which is essentially the same filter. The question is answered that the Recovery and therefore the Eclipse can form clots and overwhelm filters. Dr. Garcia goes into detail using Bard's own documents and his scientific training and training in hematology to explain how a filter creates clotes and can overwhelm filters. All failure modes are at issue because the jury will be deciding the risk/bennefit and that is as to all risks—as it is all risks upon which the doctors base their decision to impalar. Whuress full gisclosed his opinions thawy and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot formation report was timely as well. All were provided well before this preservation deposition.
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	DESIGNATIONS	RULING		RESPONSES TO OBJECTIONS
PL AFFIRM Garcia, David 6/18/2020	155:21-156:11	Overrule	Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure B mode at issue; Irrelevant and any probative value outweighed by prejudicial Effect. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or. R failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. I'This case does not involve the Recovery Filter." (156:8-11) Leading. In the property of the	Bard claims its Recovery is substantially equivalent to the G2 and therefore the Etclipse which is essentially the same filter. The question is answered that the Recovery and therefore the Eclipse can form clots and ovenwhelm filters. Dr. Garcia goes into detail using Bard's own documents and his scientific training and training in hematology to explain how a filter creates clotes and can overwhelm filters. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risks- as it is all risks upon which the doctors base their decision to implant. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot formation report was timely as well. All were provided well before this preservation deposition.
PL AFFIRM Garcia, David 6/18/2020	156:24-158:14	Overrule	Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure A mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Leading. (157:13-17) Violates MDL protective order regarding the Lehmann th Report. (158:8-14) Leading. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Garcia s expert report in the MDL Rules 401, 402, 403 – Testimony does not involve filter at itsue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages the daim dismissed. "This case does not involve the Recovery Filter."	As to the Lehman issue Bard is dead wrong. Thr Recovery HHE was allowed in in every MDL trial. Bard claims its Recovery is substantially equivalent to the G2 and therefore the Eclipse which is essentially the same filter. The question is answered that the Recovery and therefore the Eclipse can form clots and overwhelm filters. Dr. Garcia goes into detail using Bard's own documents and his scientific training and training in hematology to explain how a filter creates clotes and can overwhelm filters. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risks—as it is all risks upon which the doctors base their decision to implant. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruled that the clot fomation report was timely as well. All were provided well before this preservation deposition.
PL AFFIRM Garcia, David 6/18/2020	158:17-159:08	Overrule	Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure B mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Leading. Object to undisclosed expert opinion: Defendants object because R the opinions in this testimony were not disclosed in Dr. Garcia s expert report in G the MDL. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or it failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. I'This case does not involve the Recovery Filter."	Bard claims its Recovery is substantially equivalent to the G2 and therefore the Eclipse which is essentially the same filter. The question is answered that the Recovery and therefore the Eclipse can form clots and overwhelm filters. Dr. Garcia goes into detail using Bard's own documents and his scientific training and training in hematology to explain how a filter creates clotes and can overwhelm filters. All failure modes are at issue because the jury will be deciding the risk/benefit and that is as to all risks—as it is all risks upon which the doctors base their decision to implant. Witness fully disclosed his opinions timely and updasted his opinions in accordance with the MDL orders on new data such as new studies. Several courts have ruided that the clot formation report was timely as well. All were provided well before this preservation deposition.
PL AFFIRM Garcia, David 6/18/2020	159:11	Overrule	Rules 401, 402, and 403. Testimony does not involve filter at issue and/or failure worde at issue; Irrelevant and any probative value outweighed by prejudicial effect. Leading. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the Anni.	Witness is answering a relevant question. These opinions were disclosed.
PL AFFIRM Garcia, David 6/18/2020	159:13-161:01	Overrule	(160:2-161:1) Rules 401, 402, and 403. Testimony does not involve filter at issue wand/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. (160:2-161:01) Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia se expert report in the MDL Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. "This case does not involve the Recovery Filter."	Witness is answering a relevant question. These opinions were disclosed.
PLAFFIRM Garcia, David 6/18/2020	161:04-161:08	Overrule	Leading. Object to undisclosed expert opinion: Defendants object because the opinions in this testimony were not disclosed in Dr. Garcia s expert report in the PMD. Rules 401, 402, 403 — Testimony does not involve filter a fissue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	Witness is answering a relevant question.
DEF COUNTER Garcia, David 6/18/2020	166:04-166:11	Overrule	From page 162 line 15 through page 165 line 25 defense counsel goes into a strange set of questions about COVID and the scheduling of his deposition apparantly intended to harass the witness. None of it is relevant. Objection relevance	
DEF COUNTER Garcia, David 6/18/2020	166:14-166:19	Overrule	From page 162 line 15 through page 165 line 25 defense counsel goes into a strange set of questions about COVID and the scheduling of his deposition apparantly intended harass the witness. None is relevant. Objection relevance.	
DEF COUNTER Garcia, David 6/18/2020	167:17-167:20			
DEF COUNTER Garcia, David Garcia, 6 18 20 6/18/2020	168:08-171:03	Overrule	Objection as to the Cook questioning page 170:22-171 03 Relevance.	Goes to bias, and Court denied the MIL on this issue.

DESIGNEE	DEPONENT	DESIGNATIONS	RILING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Garcia, David	171:07-171:21	Overrule	Objection as to the Cook questioning. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	6/ 18/ 2020 Garcia, David 6/18/2020	171:24	Overrule	Objection as to the Cook questioning. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	172:02-172 06	Overrule	Objection as to the Cook questioning. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	172:08-172:13	Overrule	Objection as to the Cook questioning. Relevance. Objection as to the lawyers who are questioning being the same. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	173:03-173:14	Overrule	Objection as to the Cook questioning. Relevance. Objection as to the lawyers who are unestioning being the same Relevance	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	173:17-174:02	Overrule	Objection as to the Cook questioning. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	174:04-174:08	Overrule	Objection as to the Cook questioning. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David	174:15-174:17	Overrule	Objection as to the Cook questioning. Relevance.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	174:20-175:03	Overrule	Relevance	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	175:05-175:10	Overrule	Relevance	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	175:14-175:21	Overrule	Relevance	Goes to bias
DEF COUNTER	Garcia, David 6/18/2020	175:24-176:13	Overrule	178:20-179:4: Objection Cook testimony not relevant.	Goes to bias, and Court denied the MIL on this issue.
PL AFFIRM	Garcia, David 6/18/2020	176:14			
DEF COUNTER	Garcia, David 6/18/2020	177:08-178:22	Overrule	Cook testimony not relevant.	Goes to bias, and Court denied the MIL on this issue.
DEF COUNTER	Garcia, David 6/18/2020	178:25-179:20	Overrule	180:14-22Objection. Surgeon general questions and testimony not relevant and the prejudice nutweighs any relevance hearsay	Goes to knowledge in the medical community and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	179:23-180:22	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance.	_
DEF COUNTER	Garcia, David 6/18/2020	181:02-181:16	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	181:19-182:16	Overrule	observations to Surgeon General Call to action relevance and prejudice outwieighs Goes to knowledge and an expert can be impeached with hearsay	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	182:18-183:17	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance.	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	183:19-184:02	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance.	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	184:04-184:13	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance. Objection as to anticoagulation evidence. Not relevant.	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	184:17-184:19	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance. Objection as to anticoagulation evidence. Not relevant.	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	184:21-184:23	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance. Objection as to anticoagulation evidence. Not relevant.	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	185:07-186:11	Overrule	Objection as to Surgeon General Call to action relevance and prejudice outwieighs relevance. Objection as to anticoagulation evidence. Not relevant.	Goes to knowledge and an expert can be impeached with hearsay.
DEF COUNTER	Garcia, David 6/18/2020	186:14-190:03	Overrule	Objection as to relevance. Anticoagulation is not relevant as this filter was not to be placed if a patient could be anticoagulated.	Directly relevant as an issue in this case is Mr. Peterson's use of anticoagulants and the amount in his system when the he was hospitalized - the incident Plaintiff relaims was cause by his Edinse filter.
PL AFFIRM	Garcia, David 6/18/2020	187:25			
DEF COUNTER	Garcia, David 6/18/2020	190:05-194:05	Overrule	Objection as to relevance. Anticoagulation is not relevant as this filter was not to be placed if a patient could be anticoagulated.	Directly relevant as an issue in this case is Mr. Peterson's use of anticoagulants and the amount in his system when the he was hospitalized - the incident Plaintiff relaims was cause by his Fclinse filter.
DEF COUNTER	Garcia, David 6/18/2020	194:07-194:12	Overrule	Objection as to relevance. Anticoagulation is not relevant as this filter was not to be placed if a patient could be anticoagulated.	Directly relevant as an issue in this case is Mr. Peterson's use of anticoagulants and the amount in his system when the he was hospitalized - the incident Plaintiff claims was cause by his Eclinse filter.
DEF COUNTER	Garcia, David 6/18/2020	194:14-195:16	Overrule	Objection as to relevance. Anticoagulation is not relevant as this filter was not to be placed if a patient could be anticoagulated.	Directly relevant as an issue in this case is Mr. Peterson's use of anticoagulants and the amount in his system when the he was hospitalized - the incident Plaintiff claims was cause by his Eclinse filter
DEF COUNTER	Garcia, David 6/18/2020	195:18-197:10	Overrule	197.1-25, Obj relevance as to anticoagulation. Obj 198:11-199:19 Obj as to relevance anticoagulation.	Directly relevant as an issue in this case is Mr. Peterson's use of anticoagulants and the amount in his system when the he was hospitalized - the incident Plaintiff claims was cause by his Eclinse filter.

DESIGNEE	Garcia David	197-12-199-19	Cverrule	OBJECTION Objection as to relevance. Anticoagulation is not relevant as this filter was not to	RESPONSES TO OBJECTIONS Directly relevant as an issue in this case is Mr. Peterson's use of anticoanlants
	6/18/2020			be placed if a patient could be anticoagulated.	and the amount in his system when the he was hospitalized - the incident Plaintiff claims was cause by his Eclibes filter.
DEF COUNTER	Garcia, David 6/18/2020	199:24-203:13	Overrule	Objection as to relevance. Anticoagulation is not relevant as this filter was not to be placed if a patient could be anticoagulated.	Directly relevant as an issue in this case is Mr. Peterson's use of anticoagulants and the amount in his system when the he was hospitalized - the incident Plaintiff relains was cause by his Frlinee filter.
DEF COUNTER	Garcia, David 6/18/2020	203:15-203:25			CHILLIS WAS CAUSE OF THE PRINCE HAVE
DEF COUNTER	Garcia, David 6/18/2020	204:24-207 06			
DEF COUNTER	Garcia, David 6/18/2020	207:08-209 05			
DEF COUNTER	Garcia, David 6/18/2020	209:07-209:17			
DEF COUNTER	Garcia, David 6/18/2020	209:19-210:17			
DEF COUNTER	Garcia, David 6/18/2020	210:19-213 05	Overrule	Obj 212 line 23-213:08 Dr Streiff is not relevant and the Court granted Plaintiff's MIL 6 as to experts not called to testify. Transcript PTC 4/20/21 at 60:9.	
DEF COUNTER	Garcia, David 6/18/2020	213:07-214::22 Band designates this only if the witness is allowed to testify about literature that postdates the implant during direct.	Overrule	Obj 212 line 23-213:08 Dr Streiff is not relevant and the Court granted Plaintiff's MIL 6 as to experts not called to testify. Transcript PTC 4/20/21 at 60:9.	
DEF COUNTER	Garcia, David	214:24-216:19			
DEF COUNTER	Garcia, David 6/18/2020	216:22-218:10			
DEF COUNTER	Garcia, David 6/18/2020	218:22-223:05. Bard designates this only if the witness is allowed to testify about literature that postdates the implant during direct.			
DEF COUNTER	Garcia, David 6/18/2020	223:10-227:07. Bard designates this only if the witness is allowed to testify about literature that postdates the implant during direct.			
DEF COUNTER	Garcia, David 6/18/2020	228:07-236:19			
DEF COUNTER	Garcia, David 6/18/2020	236:21-242:06			
DEF COUNTER	Garcia, David 6/18/2020	242:09-253:09			
DEF COUNTER	Garcia, David 6/18/2020	253:11-255:04			
DEF COUNTER	Garcia, David 6/18/2020	255:10-256:14			
DEF COUNTER	Garcia, David 6/18/2020	256:16-259:09			
DEF COUNTER	Garcia, David 6/18/2020	259:11-260:03			
DEF COUNTER	Garcia, David 6/18/2020	260:05-260:11			
DEF COUNTER	Garcia, David 6/18/2020	260:13-262:03			
DEF COUNTER	Garcia, David 6/18/2020	265:04-265:15			
DEF COUNTER	Garcia, David 6/18/2020	271:11-271:16			
DEF COUNTER	Garcia, David 6/18/2020	271:25-272:18			
DEF COUNTER	Garcia, David 6/18/2020	281:13-281:21			
Garcia 6.18.20					118

RESPONSES TO OBJECTIONS

OBJECTION

DESIGNATIONS 283:03-283:13

DEPONENT Garcia, David 6/18/2020

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IGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL RUNNING RESPONSE TO OBJECTIONS					Ruming Response to objections based on leading: The essential test of a leading question is whether it so suggests to the witness the specific tenor of the reply desired by counsel that such a reply is likely to be given irrespective of an actual memory. The evil to be avoided is that of supplying a false memory for the witness. 3 Wigmore, Evidence § 759 (3d ed. 1940); "A question is not leading simply because it requires a 'yes' or 'no' answer." Mickeown v Harvey, 40 Mich 226, 228 (1879); accord, Deneweiler v. Swarthou t, 2014 U.S. Dist. LEXIS 113300 e01. Cl. S. Dist. LEXIS 113300 foot 7.3-0.131-DMG, CD CA February 18, 2014) at "82. The language of Rule 611(c) is permissive, vesting, 'broad discretion in trial courts." Miller v. Fairchild Industries, inc., 885 F.24 498, 514 (9th Cir. 1989). Under Fed. R. Evid. 611(c) leading questions on direct examination were not improper where unavailable witness testimony was presented by deposition, and leading questions could not simply be rephrased as they would be during jive testimony. Bartlett v. Mut. Ismph. To. Dist. LEXIS 93929 (D.N.H.), sub. op., op. withdrawn, 760 F. Supp. 2d 220, 2011 U.S. Dist. LEXIS 1376 (D.N.H., 2011).
PL AFFIRM	Goodman, Jay, MD 3/23/2017	8:12-8:15			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	12:19-14:11 Starting with "let's start"			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	14:15-14:22			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	17:03-17:09			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	20:17-21:06			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	34:08-34:14			
PL AFFIRM	Goodman, Jay, MD	34:22-35:04 Strating with "Cap you"			
DEF COUNTER	Goodman, Jay, MD 3/23/2017	35:05-35:16	Overrule	FRE 401, 402, 403, 701, 702 & 802 - 35 9-35:10 starting with "which is". This testimony is the subject of Plaintiff's MIL # 20(2). The witness does not have personal knowledge as to whether PE is a top ten cause of death and introducing unsubstantiated hearsay. The testimony is not a product of reliable principles or methods, it is unfairly prejudicial, confusing and misleading.	
PL AFFIRM	Goodman, Jay, MD 3/23/2017	35:17-36:03			
PL AFFIRM	Goodman, lay, MD 3/23/2017	36.06-36.07	Sustain	Rule 611(c) Leading question of witness on direct.	Plaintiff's running response to leading objections is incorporated herein. 36 01–36:07 - The questions are not leading as the witness was capable of agreeing, derying or expounding upon his response. In addition, Dr. Goodman is a treating physician and the amount to time available to conduct his deposition was limited, the question was necessary to develop the witness' testimony.
PL AFFIRM	Goodman, lay, MD 3/23/2017	36:17-36:19 Starting with "you hope"	Sustain	Rule 611(c) Leading question of witness on direct.	Plaintiff's running response to leading objections is incorporated herein. 36:17–36:22 -The questions are not leading as the witness was capable of agreeing, denying or expounding upon his response. In addition, Dr. Goodman is a treating physician and the amount to time available to conduct his deposition was limited, the question was necessary to develop the witness' testimony.
PL AFFIRM	Goodman, lay, MD 3/23/2017	36:22-36:22	Sustain	Rule 611(c) Leading question of witness on direct.	Plaintiff's running response to leading objections is incorporated herein. 36:17–36:22 -The questions are not leading as the witness was capable of agreeing, denying or expounding upon his response. In addition, Dr. Goodman is a treating physician and the amount to time available to conduct his deposition was limited, the question was necessary to develop the witness' testimony.
DEF COUNTER	Goodman, Jay, MD 3/23/2017	36:24–37 05			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	37.07-37:14 Starting with "Clearly you"	Sustain	Rule 611(c) Leading question of witness on direct.	Plaintiff's running response to leading objections is incorporated herein. 37 07-37:17 - The questions are not leading as the witness was capable of agreeing, denying or expounding upon his response. In addition, Dr. Goodman is a treating physician and the amount to time available to conduct his deposition was limited, the question was necessary to develop the witness' testimony.
PL AFFIRM	9/23/2017 3/23/2017 3/23/2017 3/23/2017	37:17-37:17	Sustain	Rule 611(c) Leading question of witness on direct.	Plaintiff's running response to leading objections is incorporated herein. 37 07-37:17 - The questions are not leading as the witness was capable of agreeing, denying or expounding upon his response. In addition, Dr. Goodman is a treating physician and the amount to time available to conduct his deposition was limited, the question was necessary to develop the witness' testimony.
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	ORIECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Goodman, Jay, MD 3/23/2017	37:19-37:25	Overrule	FRE 401, 402, 403, & 702 - 37:24 -37:24 starting at "But I". His statement as to his personal preference regarding IVC filters is not relevant. The probative value of his statement, if any is substantially outweighed by unfair prejudice, undue delay and usering a finally.	
PL AFFIRM	Goodman, Jay, MD 3/23/2017	38:01-38:11 Starting with "if a			
DEF COUNTER	Goodman, Jay, MD 3/23/2017	38:21–38:23			
DEF COUNTER	Goodman, Jay, MD 3/23/2017	39:01–39 03			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	39:20-39:22			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	39:25-39:25			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	40:02-40:05			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	40:08-40:11 Starting with "Would you"			
DEF COUNTER	Goodman, Jay, MD 3/23/2017	40:12-40:19			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	40:20-41:05	Overrule	Rule 611(c) Leading question of witness on direct (41:3-5). Rule 611 assumes facts not in evidence.	Plaintiff's running response to leading objections is incorporated herein. 40 02-41:09 - The question is not leading and the "facts" will be established by the documents and testimony of other witness including, for example, Natalie Wong at 154 8-154:18, 154:25-156:14, and 156:20-156:25
PL AFFIRM	Goodman, Jay, MD 3/23/2017	41:08-41:09	Overrule	Rule 611(c) Leading question of witness on direct. Rule 611 assumes facts not in evidence.	Plaintiff's running response to leading objections is incorporated herein. 40 02-41:09 - The question is not leading and the "facts" will be established by the documents and testimony of other witness including, for example, Natalie Wong at 154 8-154:18, 154:25-156:14, and 156:20-156:25
DEF COUNTER	Goodman, Jay, MD 3/23/2017	41:11-41:17			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	41:18-41:20			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	41:23-41:24	Overrule	Rule 611(c) Leading question of witness on direct. Rule 611 assumes facts not in evidence.	Plaintiff's running response to leading objections is incorporated herein. 41:18–41:20- The question is not leading and the 'facts' will be established by the documents and testimony of other witness including, for example, PX 330 at p.6.
PL AFFIRM	Goodman, Jay, MD 3/23/2017	42:01-42:06	Sustain	Rule 611(c) Leading question of witness on direct. Rule 611 assumes facts not in evidence.	Plaintiff's running response to leading objections is incorporated herein. 42 01-42:06 - The question is not leading and does not introduce any the "facts" that are not in evidence
PL AFFIRM	Goodman, Jay, MD 3/23/2017	42:10-42:21			
DEF COUNTER	Goodman, Jay, MD 3/23/2017	43:04-43:18			
DEF COUNTER	Goodman, Jay, MD 3/23/2017	43:21-43:24			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	45:09-45:20			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	45:24-46:09			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	46:12-46:12			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	46:14-46:19			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	47:03-47:10			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	49:10-49:13			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	52:15-52:17			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	53:03-55:13			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	55:16-56:17 Startng with "But there"			
PL AFFIRM	Goodman, Jay, MD 3/23/2017	57:05-57:21			
PLAFFIRM Goodman 3	Goodman, Jay, MD Goodman, Jay, MD Goodman 3 23 1/33/Pd12	58:17-59:12			121

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RESPONSES TO OBJECTIONS					ubject of Plaintiff's ss to whether filters not support the methods, it is															e subject of Plaintiff's s or methods, it is	e subject of Plaintiff's s or methods, it is		develop the witness' testimony.
					FRE 401, 402, 403 & 702-65 06-65:15- This testimony is the subject of Plaintiff's MIL # 20(1). The witness does not have personal knowledge as to whether filters actually save lives and the published medical literature does not support the daim. The testimony is not a product of reliable principles or methods, it is unfairly prejudicial, confusing and misleading.															FRE 401, 402, 403 & 702-135 01-135:16-This testimony is the subject of Plaintiff's MIL# 19. The testimony is not a product of reliable principles or methods, it is unfairly preudicial confusing and misleadine.	FRE 401, 402, 403 & 702-135 01-135:16-This testimony is the subject of Plaintiff's MIL # 19. The testimony is not a product of reliable principles or methods, it is unfairly prejudicial confusing and misleading.	Rule 611(c) Leading question of witness on direct (137:5-8). Rule 611 assumes facts not in evidence.	Rule 611(c) Leading question of witness on direct. Rule 611 assumes facts not in
					Overrule FRE 401, 4(MIL # 20(1) actually sav daim. The t unfairly pre															Overrule FRE 401, 4C MIL # 19. T unfairly pre	Overrule FRE 401, 4C MIL # 19. T unfairly pre	Sustain Rule 611(c) facts not in	Sustain Rule 611(c)
	60:15-60:20	62:17-62:19	63:09-63:16 Starting with "and this"	64:06-65:05	65:06-65:15	65:16-65:22	65:25-66:06	72:12-73:10	74:10-74:12	91:17-91:24	94:12-95:05	96:05-96:12	96:15-96:23	104:17-104:23	106:20-108:17	133:14-133:22	133:25-133:25	134:02-134:16	134:17–134:19	134:22–135:10	135:13–135:16	136:22-137:08 Starting with "if you"	137:11-137:11
3/23/2017	Goodman, Jay, MD	3/23/2017 Goodman, Jay, MD 3/23/2017	MD.	MD	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017	Goodman, Jay, MD 3/23/2017 S	Goodman, Jay, MD
PLAFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	DEF COUNTER	PL AFFIRM	DEF COUNTER	DEF COUNTER	DEF COUNTER	PL AFFIRM	PL AFFIRM												

Planniff's coursel and prolong the Planniff's case in chief. In this deposition Planniff has fleered 547 lines of testimony which constitutes approximately 44 minutes of testimony as the sdirect examination. The Band defendants have designated 41.792 lines of testimony. When you deduct the 297 lines of common testimony designated by both parties. Band is increasing the deposition time by 1.9 hours to a total presentation of 2.7 hours. Defendants have now added an additional 36 lines of testimony. Plainiff should not 2.7 hours. Defendants
muut aduuvula te baninuly miu uteri peseltaduon uu etu dea tii neitu. Ine dauuvula tiirettee avatyrom tie plantiiff sa bility to present his case as it is now part of his case in chief and the juvy should not be left with the impression that the Plaintiff is responsible for the delay caused by the prolonged deposition presentation
Plaintiff reasserts and incorporates herein all previous objections and counter designations included in Dkt Nos. 132 & 132-1 - Plaintiff s Objections to the Defendants Affirmative
Deposition Designations and Counter Designations filed on April 12, 2021.
FRE 401, 402 & 403: 18:08-19:02 - By the time Dr. Goodman's deposition testimony is played the jury will have had the anatomy of the Vena cava explained, the purpose of an IVC filter and description of what an OVC filter looks like. the probative value of such duplicative testimony from this witness, if any, is substantially outweighed by undue delay, wasting of time needlessly presenting crimulative adiabrae.
FRE 401,402, 403, & 802 - 50:17 51 06 - This portion of the answer is nonresponsive and contains hearsay regarding what the Government wants. The First FDA warning letter was snot yet issued at the time Mr. Peterson's filter was being pleaced so Dr. Goodman could not have had that in mind. His statement as to his personal beliefs regarding IVC filters goes beyond his care of Mr. Peterson and is not relevant. To the extent the Defendants' intend to play 68:20-70:11 as part of thesin or promit his winess the testimony at 50:17-51:3 duplicates the same testimony. The probative value of his statement. If any, is substantially outweighed by unfair prejudice, undue delay and wasting of time.

Goodman 3.23.17 DEF

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	51:16-51:18			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	52:15-52:22			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	53:03-56:10			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	59:13-60:02 (begin at "Was the") (stop after "anticipated")			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	60:22-62:03	Overrule	FRE 401,402 & 403: 62:23 -63:09 (Starting with "And") - the testimony is not relevant to any material issue, and the probative value , if any, is substantially poutweighed by undue delay and wasting of time.	The testimony is relevant to this non-party fact witness's medical treatment of Plaintiff. The testimony at 65:6 - 65:15 is highly relevant to the witness's medical decisions related to Plaintiff and the risk/benefit analysis the doctor performed. It also explains the doctor's decision-making process in selecting the brand of filter that he select
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	62:17-65:18	Overrule	FRE 401,402,403 & 702: 62:17-63 05 (Starting with "It s part"). The testimony is not relevant to any material issue, and the probative value, if any, is substantially poutweighed by undue delay and wasting of time. The witness personal preferences are not credible expert opinion and the probative value of his an attachment, if any, is substantially outweighed by unfair prejudice, undue delay and the wasting of times.	The testimony is relevant to this non-party fact witness's medical treatment of Plaintiff. The testimony at 65.6 - 65.15 is highly relevant to the witness's medical decisions related to Plaintiff and the risk/benefit analysis the doctor performed. It also explains the doctor's decision-making process in selecting the brand of filter that he selected.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	66:25-72:11	Overrule	03, 602 & 802-68:16-68:17 This portion of the answer is and contains hearsay regarding what the Government wants. The maje letter was not yet issued at the time Mr. Peterson's filter was to Goodman could not have had that in mind or the would have ing about government intent. His statement as to his personal ing IVC filters goes beyond his care of Mr. Peterson and is not robative value of his statements, if any, is substantially outweighed dice, undue delay and wasting of time.	The testimony identified by Plaintiff is relevant and explains the doctor's actions and decision-making. It is not hearsay, as it is being offered to explain the doctor's treatment decisions for Plaintiff, as well as the risk/benefit analysis the doctor performed. Additionally, the fact that the Eclipse filter was an optional filter with an unlimited indwell time is a major benefit of the filter, and this testimony is relevant to how that benefit is perceived and acted upon by a physician. The doctor is also explaining his informed consent process, which is relevant to Plaintiff's theories of recovery in this case.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	73:11-73:22 (from "is it")	Overrule	FRE 401,402, 403 - His statement at 73:16-73:16 as to his personal preference regarding IVC filters goes beyond his care of IVI. Peterson and is not relevant. To the extent the Court has permitted this testimony in any to the prior statements hesignate by Band, the testimony duplicates the same testimony. The probative value of his statement, if any, is substantially outweighed by unfair prejudice, in undue delay and wasting of time.	The doctor's statements regarding his experience and practice using filters is relevant and responsive to allegations made by Plaintfill in this case. If the doctor had testified that he preferred another brand of filter over Bard filters, surely plaintiff would not object to that testimony as irrelevant. The doctor is explaining his treatment decisions and risk/benefit analysis, which are relevant to the claims in this case.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	77:01-93:08	Overrule	RE 401, 402, 403 and 802 - 76:15-76:25 statements by counsel are hearsayand do not constitute admissible evidence. 77:10-79:28 80.10-80:23-10. Goodman's use of Cf scan disages and his detailed description are with regard to the PE that Mr. Peterson has sustained a para before the filter was placed and he was not longer stiffering from that condition. His history of having had a PE in the past is relevant to the decision to place the filter, but the detailed description of the PE and demonstration of his year old Cf images are not relevant and are unfairly petudicial. The testimony is likely to confuse the issues are protected and are unfairly petudicial. The testimony is likely to confuse the issues are protected and are unfairly petudicial. The testimony is likely to confuse the sizes are prefere the filter was placed could have caused, but did not. The testimony is not a product of the filter was placed could have caused, but did not. The testimony is not a product of the filter but projudicial, confusing and misleading. 81:10-81:19 - FRE 403: To the extent the Defendant's intend to play 81:10-62:13 that testimony did for substantially outweighed by the purfair prejudicial, confusing and misleading. 81:10-81:19 - FRE 403: To the extenting cumulative to unfair prejudicie, undue delay, wasting of time and/or needlessly presenting cumulative to the vidence. FRE 401, 401, 402, 602, 8702 - AR 82:108.38 3the witness is not responsive, is clipting irrelevant testimony as to conditions Mr. Peterson did not have and is speculating as what caused his cdr. The restimony is not a product of reliable principles or methods, it is not relevant to a material issue in the case, it is unfairly prejudicial, confusing misleading causing undue delay and wasting time.	All of the testimony Plaintiff objects to is relevant and explains the doctor's treatment decisions and risk/benefit analysis with respect to Mr. Peterson. He is speaking from his own knowledge and is not speculating. This non-party fact witness's testimony regarding the magnitude of the risk of PE is relevant to his decisions to use filters even knowing that filters have risks, including risks of serious complication. Plaintiff wants to present a large volume of evidence about other filters and other complications not experienced by plaintiff, savell as very serious adverse events, including death, yet Plaintiff wants to preclude this non-party fact witness from speaking from his own experience of the significant risks to patients and give context to the perceived need and utility of filters. This is not prejudice to Plaintiff selevant medical history. Testimory regarding the risk of fatality by a plumonary embolism is also not duplicative or cumulative. In this case, Plaintiff has made much of what doctors did or did not know, what they were owere not told by Badd. Defendants are entitled to present evidence of what this doctor knew of the risks of pulmonary embolism, as it goes to the risk/utility analysis, risk/benefit analysis, and other issues Plaintiff has injected into the case.

DESIGNEE DEF AFFIRM	DEPONENT	DESIGNATIONS	Sustain as to 86 07-24.	DBLECTION RE 401, 402, 602 & 702 - At 84 06-84:13 the witness is again asked about what injuries the Plaintiff suffered from a PE that occurred one year before the filter was placed. The testimony is not a product of reliable principles or methods, it is not relevant to a material sissue in the case, it is unfairly prejudicial, confusing, misleading and unnecessarily cumulative. RE 401, 401, 402, 602 & 702 - At 86:724. The witness is questioned about Coumadin/Warfarin use and he admits that has to speculate to respond as he does not prescribe the medication. The testimony is not a product of reliable principles or methods, it is not relevant to a material issue in the case, it is unfairly prejudicial, confusing, misleading and unnecessarily cumulative 403: The extent the Defendants' intend to play 880:10-902.0 & 21.25-930 Rathat testimony duplicates the same testimony included at 22.18- 56:05 and 68:18-68:25 and the probative value, if any, is substantially outweighed by the unfair prejudice, undue delay, wasting of time and/or needlessly	All of the testimony Plaintiff objects to is relevant and explains the doctor's treatment All of the testimony Plaintiff objects to is relevant and explains the doctor's treatment decisions and risk/Benefit analysis with respect to Mr. Peterson. He is speaking from his own knowledge and is not speculating. This non-party fact witness's testimony regarding the magnitude of the risk of Pie is relevant to his decisions to use filters even knowing that filters have risks, including risks of serious complication. Plaintiff wants to present a large volume of evidence about other filters and other complication. Plaintiff wants to present a large volume of evidence about other filters and other complications not experienced by Plaintiff, as well as very serious sedverse events, including death, thy Plaintiff wants to present a large volume party fact witness from speaking from his own experience of the significant risks to patients and give context to the perceived need and utility of filters. This is not prejudice to Plaintiff.
DEF AFFIRM	Goodman, Jav, MD 3/23/2017	93:25-96:12	Sustain	FRE:401, 402, 403, 602 & 701: 95:11-95:23 - After "That [sic] is." The remainder of the response is non-responsive and is not relevant. The witness admits he has never tried to remove a permanent only fitter so he lacks personal knowledge and his personal experience with other filters is not relevant. The testimony is not a product of reliable principles or methods, it is not relevant to a material issue in the case, it is unfairly prejudicial, confusing and misleading.	The testimony plaintiff objects to is relevant and explains the doctor's treatment decisions and risk/benefit analysis with respect to Mr. Peterson, including why the doctor opted to place an optional filter rather than one that could only be used permanent. This goes to the doctor's risk/benefit analysis and the utility of the Eclipse filter placed in Plaintiff. Plaintiff intends to present other evidence comparing rates of complications between Bard retrievable filters and other permanent filters. Doctors' perceived risks associated with permanent filters is relevant to issues Plaintiff has injected into the case.
DEF AFIRM	Goodman, Jay, MD 3/23/2017	96:15-99:03	Overrule	See objection to 95:11-95:23 above which incorporated herein. FRE 401, 402, 403 and 802 - 95:25-96:08 ending with "perforation". Statements by counsel are hearsay and do not constitute admissible evidence. FRE: 602 - Calls for speculation as to Mr. Peterson's state of mind. The witness cannot know what Mr. Peterson "accepted".	Defendants incorporate by reference their response to Plaintiff's objections at 95:11–95:23. Defendants do not understand Plaintiff's reference to 95:25–96:08, as that does not relate to perforation. Defendants have not designated statements by counsel that could be hearsay. The witness's testimony regarding the discussion of risks and benefits of filters and his impression of how those risks were perceived by Plaintiff is relevant to many issues Plaintiff has injected into the case. Plaintiff was present evidence from Plaintiff at trial that refutes this. A treating physician's understanding of his patient's acknolwedgement of known risks is not speculation.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	99:10-100:11	Overrule	FRE 602: The witness does not recall the specific conversation of :consenting process and does not recognize the signature - the testimony is speculative and lacks a proper foundation.	The witness has explained his typical informed consent process, and that is highly relevant and germane to issues Plaintiff has presented. The doctor cannto be expected to have a specific memory of a conversation with every patient he treats; testimony regarding his customany practice and habit are not prohibited. Plaintiff was entitled to cross-examine this doctor on this testimony, and Plaintiff can present evidence from Plaintiff at trial that refutes this, and it will be for the jury to decide which is more credible.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	100:15-101:15			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	102:09-102:19			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	102:22			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	102:24-103:06	Sustain in part as to completeness.	FRCP 32(a)(6) and FRE 403 - The witness clarified his response to this question at 103:12-103:24 and fairness dictates it should be considered with the portion offered by Bard. If this portion is not included in the response the testimony is confusing and misleading.	
PL COUNTER	Goodman, Jay, MD 3/23/2017	* if the court does not grant Plaintiff's optional completeness request he would offer:			
PL COUNTER	Goodman, Jay, MD 3/23/2017	* if the court does not grant Plaintiff's optional completeness request he would offer:			
Goodman 3:23.17 DEF	1.23.17 DEF	103:15-103:74			123

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Goodman, Jay, MD	104:17-105:02			
	3/23/2017				
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	105:09-108:25			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	109:10-114:24	Overrule	FRCP 26(a)(2(C), FRE 40.3 and 60.2 - 109:09-114:24 - The questions start by revisiting his credentials which were testified to at 12:19-15:21 and then asks about when retrievable filters first came to the market and the witness states! Condon't recall. The witness admits he lacks personal knowledge. FRCP 26(a)(2)(C), BFE 401, 402, 403, 602 and 702- The witness is asked questions regarding the design characteristic of various retrievable IVC filters and the witness lacks the proper education, training and qualifications to respond. The witness admits he precannot answer the question. The witness' personal preference is not relevant to a transfer all such a material issue in the case, it is unfairly prejudicial, confusing, misleading and unnecessarily cumulative.	Testimony regarding the doctor's education, experience with IVC filters, and related background is relevant. Among other things, the testimony provides conext for the doctor's risk/benefit analysis and treatment decisions of Palnitff. Because he doces not recall a specific date decades ago does not mean that he lacks personal knowledge of the evolution of IVC filters and have relevant opinions regarding how that evolution impacted his treatement of patients. The doctor's personal preference is relevant to issues injected by Plaintiff, because the testimony explains why the doctor chose to use the Eclipse filter over other filters available on the market, which Plaintiff has put at issue.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	116:25-117:24	Overrule	FRCP 26(a)(2)(C), FRE 401, 402, 403, 602 and 702- 116:24-117:20 - The questions ask the witness questions regarding the design characteristic of various retrievable related background is relevant. Among other things, the testimony provides VC filters and the witness backs the proper education, training and qualifications. The dross of the witness backs the proper education, training and qualifications. The dross of the witness bards the proper education, training and qualifications. The dross of plain to respond. The witness bersonal preference are not relevant to a material issue. The testimony perplains why the doctor chose to use the Eclipse filter over other variable principles or methods, it is not relevant to a material issue in the case, it is unfairly prejudicial, confusing, misleading and unnecessarily personal preference is relevant to issues injected by Plaintiff, because the cumulative. FRE 802: 117:11-117:17 ending at "it does". Hearsay. Personal preference is relevant to issues injected by Plaintiff, because the cumulative. FRE 802: 117:11-117:17 ending at "it does". Hearsay. Personal preference is relevant to issues injected by Plaintiff, because the testimony regarding the doctor's conversations with peers are relevant to supplied to show that evolution of IVC filters and have relevant to patients. The doctor available on the market, which Plaintiff has put at issue. The testimony is not hearsay, the testimony regarding the doctor's conversations with peers are hearsay, the testimony regarding the doctor's conversations with peers are hearsay.	Testimony regarding the doctor's education, experience with IVC filters, and related background is relevant. Among other things, the testimony provides concax for the doctor's risk/benefit analysis and treatment decisions of Plaintiff. Because he does not recall a specific date decades ago does not mean that he lacks personal knowledge of the evolution of IVC filters and have relevant opinions regarding how that evolution impacted his treatement of patients. The doctor's personal preference is relevant to issues injected by Plaintiff, because the testimony explains why the doctor chose to use the Eclipse filter over other filters available on the market, which Plaintiff has put at issue. The testimony is not hearsay; the testimony regarding the doctor's conversations with peers are not being offered for the truth of those statements, it is being offered to show how doctor's get information and make treatment decisions for their patients that rely in part on that information.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	119:09-120:19			
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	124:24-125:13 (from "did you")	Overrule	FRE 410, 402, 403: The witness' testimony that all procedures has potentials risks The testimony is responsive to questioning presented by Plaintiff's counsel and is and what he thinks of his consenting process with other patients is not relevant, it relevant to the risk/benefit analysis, and informed consent process. The testimony is unfairly prejudicial, confusing, misleading. Is relevant to a number of issues injected by Plaintiff and Defendants are entitled to responsible to the process.	The testimony is responsive to questioning presented by Plaintiff's counsel and is relevant to the risk/benefit analysis, and informed consent process. The testimony is relevant to a number of issues injected by Plaintiff and Defendants are entitled to respond.
DEF AFFIRM	Goodman, Jay, MD 3/23/2017	126.02-126.07	Overrule	FRE 410, 402, 403: The witness' testimony as to what he would tell other patients TI as part of a consenting process is not relevant, it is unfairly prejudicial, confusing, re misleading.	The testimony is responsive to questioning presented by Plaintiff's counsel and is relevant to the risk/benefit analysis, and informed consent process. The testimony is relevant to a number of issues nijected by Plaintiff and Defendants are entitled to respond. The dortor cannot be expected to remember each conversation with patients years or decades ago, and his typical practice and habit is relevant and contingroper. Defendants do not believe the jury will be confused by this

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Graves, Micky 02/27/2014	6:03-6:04			
DEF COUNTER	Graves, Micky 02/27/2014	6:13-6:22			
DEF COUNTER	Graves, Micky 02/27/2014	7:24-10:04			
DEF COUNTER	Graves, Micky 02/27/2014	12:02-12:12			
DEF COUNTER	Graves, Micky 02/27/2014	13:02-13:25			
DEF COUNTER	Graves, Micky 02/27/2014	16:14-17:14			
DEF COUNTER	Graves, Micky 02/27/2014	20:09-22:05			
PL AFFIRM	Graves, Micky 02/27/2014	22:25-23:05			
PL AFFIRM	Graves, Micky 02/27/2014	24:06-24:15			
PL AFFIRM	Graves, Micky 02/27/2014	25:23-26:06			
PL AFFIRM	Graves, Micky 02/27/2014	28:09-28:12			
PL AFFIRM	Graves, Micky 02/27/2014	30:14-30:18			
DEF COUNTER	Graves, Micky 02/27/2014	35:23-37:08			
PL AFFIRM	Graves, Micky 02/27/2014	37:09-37:21			
DEF COUNTER	Graves, Micky 02/27/2014	37:22-37:23			
PL AFFIRM	Graves, Micky 02/27/2014	44:01-44:05			
DEF COUNTER	Graves, Micky 02/27/2014	44:06-44:12			
DEF COUNTER	Graves, Micky 02/27/2014	44:25-45:04			
DEF COUNTER	Graves, Micky 02/27/2014	45:07			
DEF COUNTER	Graves, Micky 02/27/2014	45:09-45:11			
PL AFFIRM	Graves, Micky 02/27/2014	47:25-48:09	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Design flaws in the Recovery filter, upon which the Eclipse and G2 filter family was based, are relevant to the existence of warning and design defect, to if Bard acted as a reasonable medical device manufacturer, and to design and testing of the Frince filter.
PL AFFIRM	Graves, Micky 02/27/2014	59:15-59:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punity damages claim dismissed. Rules 401, 402 & 403, Irrelevant and Unfairly prejudicial. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	
DEF COUNTER	Graves, Micky 02/27/2014	60:01-60:10			
DEF COUNTER	Graves, Micky 02/27/2014	63:16-63:22			
DEF COUNTER	Graves, Micky 02/27/2014	65:01-65:11	Sustain	FRE 602/611: The question is asked by the witness and the answering attorney is not under oath. FRE 402/403: the colloquy between the witness and questioning lawyer is not relevant. The witness's statement at lines 9-11 is inadmissible because it not made in response to any pending question.	
DEF COUNTER	Graves, Micky 02/27/2014	69:21-70:01			
DEF COUNTER	Graves, Micky 02/27/2014	71:05-71:09			

Graves 2.27.14

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFFIRM	Graves, Micky 02/27/2014	87:22-87:23	Sustain	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter family was based, are relevant to the existence of design defect, to if Bard acted as areasonable medical device manufacturer, and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which led to migration as well as fracture and perforation in patients including Peterson. Whether Bard knew it failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the G2 filter line and warn about the dangers of the filter, is relevant to all of Plaintiff's claims. FRE 601/602: As a senior engineer involved in the development of the G2 filter family (see, e.g., 24:6-15), the witness has ample personal knowledge from which to answer the questions asked. FRE 612: No document was used to refresh the witness's recollection in connection with the testimony
PL AFFIRM	Graves, Micky 02/27/2014	126:16-126:23	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Herewant and Unfairly Prejudicial. Testimony implies that Bard had a duty to conduct additional testing or studies when no such duty exists. Rule 611 compound question. Rule 611 assumes facts not in evidence. Rule 611(a)(3) questioning is argumentative and subjects witness to harassment. Counsel is making closing argument. Rule 403. Punitive damages are not at issue in this case.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter family was based, are relevant to the existence of design defect, to if Bard acted as a reasonable medical device manufacture; and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which led to migration as well as fracture and perforation in patients including Peterson. Whether Bard knew it failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the C2 filter line and warn about the dangers of the filter, is relevant to all of Plaintiff's claims. FRE 601/602: As a senior engineer involved in the development of the C2 filter family (see, e.g., 24:6-15), the witness has ample personal knowledge from which to answer the questions asked. FRE 612: No document was used to refresh the witness's recollection in connection with the testimony
PLAFFIRM	Graves, Micky 02/27/2014	127:01-127:03	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony implies that Bard had a duty to conduct additional testing or studies when no such duty exists. Rule 611 compound question. Rule 611 assumes facts not in evidence. Rule 614(a)(3) questioning is argumentative and subjects witness to harassment. Counsel is making closing argument. Rule 403. Punitive damages are not at issue in this case.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter family was based, are relevant to the existence of design defect, to if Bard acted as a reasonable medical device manufacturer, and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which led to migration as well as fracture and perforation in patients including Peterson. Whether Bard knew it failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the G2 filter line and warn about the dangers of the filter, is relevant to all of Plantiff's claims. FRE 601/602. As a senior engineer involved in the development of the G2 filter family (see, e.g., 24:6-15), the witness has ample personal knowledge from which to answer the questions asked. FRE 612: No document was used to refresh the witness's recollection in connection with the testimony
PLAFFIRM	Graves, Micky 02/27/2014	127:06-127:13	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601,602 & 612. Lasks foundation, witness does necessal knowledge of subject matter, calls for speculation, by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony implies that Bard had a duty to conduct additional testing or studies when no such duty exists. Rule 611 compound question. Rule 611 assumes facts not in evidence. Rule 613(a) questioning is argumentative and subjects witness are not at issue in this case.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter mainly was based, are relevant to the existence of design defect, to it Bard acted as a reasonable medical device manufacturer, and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which the the migration as well as fracture and perioration in patients including Peterson. Whether Bard Knew It failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the G2 filter line and warn about the dangers of the filter, is relevant to all of plaintiff's claims. Ref E01/601. As a senior regimeer involved in the development of the G2 filter family (see, eg., 24:6-15), the witness has ample personal knowledge from which to answer the questions asked. Ref E01. No document was used to refresh the witness's recollection in connection with the testimony

Graves 2.27.14

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFFIRM	Graves, Micky 02/27/2014	127:15-127:20	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial restimony implies that Bard had a duty to conduct additional testing or studies when no such duty exists. Rule 611 compound question. Rule 611 assumes facts not in evidence. Rule 611(a)(3) questioning is argumentative and subjects witness to harassment. Counsel is making closing argument. Rule 403. Punitive damages are not at issue in this case.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter family was based, are relevant to the existence of design defect, to if Bard acted as a reasonable medical device manufacturer, and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which led to migration as well as fracture and perforation in patients including Peterson. Whether Bard knew it failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the G2 filter line and warn about the dangers of the filter, is relevant to all of Plaintiff's claims. FRE 601/602: As a senior engineer involved in the development of the G2 filter family (see, e.g., 24:5-15), the witness has ample personal knowledge from which to answer the questions asked. FRE 612: No document was used to refresh the witness's recollection in connection with the testimony
PLAFFIRM	Graves, Micky 02/27/2014	127:22-128:02	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony implies that Bard had a duty to conduct additional testing or studies when no such duty exists. Rule 611 compound question. Rule 611 assumes facts not in evidence. Rule 611(a)(3) questioning is argumentative and subjects witness to harassment. Counsel is making closing argument. Rule 403. Punitive damages are not at issue in this case.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter family was based, are relevant to the existence of design defect, to if Bard acted as a reasonable medical device manufacturer, and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which led to migration as well as fracture and perforation in patients including Peterson. Whether Bard knew it failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the G2 filter line and warn about the dangers of the filter, is relevant to all of Plaintiff's claims. FRE 601/602: As a senior engineer involved in the development of the G2 filter family (see, e.g., 24:5-15), the witness has ample personal knowledge from which to answer the questions asked. FRE 612: No document was used to refresh the witness's recollection in connection with the testimony
PLAFFIRM	Graves, Micky 02/27/2014	128:12-129:09	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony implies that Bard had a duty to conduct additional testing or studies when no such duty exists. Rule 611 compound question. Rule 611 assumes facts not in evidence. Rule 611(a)(3) questioning is argumentative and subjects witness to harassment. Counsel is making closing argument. Rule 403. Punitive damages are not at issue in this case.	FRE 402/403/404: Design flaws in the Recovery filter, upon which the Eclipse filter family was based, are relevant to the existence of design defect, to if Bard acted as a reasonable medical device manufacturer, and to the design and testing and warnings of the Eclipse filter. The record demonstrates that in attempting to correct failures with the Recovery Filter, Bard failed to test the redesigned filter adequately to identify the existence of a separate problem with the Eclipse, which led to migration as well as fracture and perforation in patients including Peterson. Whether Bard knew it failed to catch a major design flaw in the Recovery filter as a result of inadequate testing, but then failed to conduct such testing in connection with the G2 filter line and warn about the dangers of the filter, is relevant to all of Plaintiff's claims. FRE 601/602: As a senior engineer involved in the development of the G2 filter family (see, e.g., 24:5-15), the witness has ample personal knowledge from which to answer the questions asked. FRE 612: No document was used to refresh the witness's recollection in connection with the testimony
DEF COUNTER	Graves, Micky 02/27/2014	160:24-161:22	Overrule	(161:19-22): FRE 402/403: Testimony regarding whether Bard warned is not relevant to any matter at issue, and the witness's personal belief that Bard warned of the complications in question is immaterial to any matter at issue; FRE 602/702: The witness is not qualified or designated to offer opinion testimony reparding the adequacy of Bard's warnings.	

Graves 2.27.14

OBJECTION RESPONSES TO OBJECTIONS	The testimony in this deposition relates entirely, or in significant part, to the design of the Recovery filter and actions taken regarding that filter. Bard objects Judge Campbell recognized the relevance probative value of such testimony to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its regarding the design process from the Recovery filter to the Edipse and did not MILB. Doc. 108191							Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery filter. This witness left Band's employment years perfore the Eclipse filter was available in the marketplace or implanted in Plaintiff. Failure of its testing and design of the GZX and eclipse. Further, issues with the mentely for inflammatory purposes. Particularly given that plaintiff's claim for manufacturer in connection with the filter.		This exhibit is an email was excluded by the Court's ruling on Bard's MIL on Recovery marketing and other bad acts. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure of an analysed. This case does not involve the Recovery filter. This witness left Bard's employment years before the Eclipse filter was available in the facts of this case and is injected merely for inflammantary purposes. Bard's knowledge regarding the Recovery Filter, a relevant to among their arises. In connection with the filter. Bard's knowledge regarding the Recovery Filter is relevant to, among other things, Bard's wanings were adsorptate and its knowledge based upon the fallure of its testing and design of the GJX and eclipse. Further, issues with the filter. Bard's knowledge regarding the Recovery filter. This witness left Bard's employment years before the Eclipse filter was available in the Recovery Filter in connection with the filter. Bard's knowledge based upon the fallure filter. Bard's wanings were adsorptate and its knowledge based upon the fallure of its testing and design of the GJX and eclipse. Further, issues with the filter. Bard's knowledge based upon the fallure of its testing and design of the GJX and eclipse. Further, issues with the filter. Bard's knowledge based upon the fallure of inplanted in Plaintiff. This witness frestimony has no bearing on the articularly given that plaintiff's claim for punitive damages has been dismissed.	This exhibit is an email was excluded by the Court's ruling on Bard's MIL on Recovery marketing and other bad acts. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or filter at issue involve filter at issue involve filter at issue and/or filter at its earlier filter. This with earlier filter and filter at its earlier filter and filter at its earlier filter and filter at its earlier filter.	This exhibit is an email was excluded by the Court's ruling on Bard's MIL on Recovery marketing and other bad acts. Rules 401, 402, 403 – Testimony does not involve filter at issue and other bad acts. Rules 401, 402, 403 – Testimony does not involve filter at issue in manufacturer in connection with the filter. See does not involve the Recovery filter. This witness left Bard's employment years before the Eclipse filter was available in the facts of this case and is injected merely for inflammatory purposes. Bard's knowledge regarding the Recovery Filter is relevant to among other without proportion with the filter. Bard's knowledge regarding the Recovery Filter at issue with the filter some and is injected merely for inflammatory purposes. Bard's knowledge based upon the faller of its testing and design of the GZX and eclipse. Further, issues with the facts of this case and is injected merely for inflammatory purposes. Bard's knowledge based upon the faller of its testing and design of the GZX and eclipse. Further, issues with the facts of this case and is injected merely for inflammatory purposes. Bard's knowledge based upon the Recovery Filter. This faller of inflammatory purposes. Bard's knowledge regarding the Recovery Filter are relevant to in Bard acted as a reasonable medical device manufacturer in connection with the filter.
RULING								Overrule		Sustain	Sustain	Sustain
DESIGNATIONS		5:16-5:18	5:21-5:22	22:06-22:11	23:07-23:13	25:16-25:25	27:05-27:10	60:06-60:09 "Starting at When"	60:11-60:13	145:15	146:05-146:07	146:10
DEPONENT	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014	Greer, Jason 08/11/2014
DESIGNEE	DEF BLANKET OBJECTION	PL AFFIRM	PL AFFIRM	PL AFFIRM	PLAFFIRM	PLAFFIRM						

DESIGNATIONS RULING 146:14-146:25 Sustain		I = I C	
08/11/2014 Recovery mark involve filter at involve filter at value outweigh damages claim withous left Bammarketplace on the facts of this particularly give the testimony.	Recovery mark involve filter at value outweigh damages claim witness left Ba marketplace on the facts of thi Particularly givi	covery mark rolve filter at lue outweigt mages claim thess left Ba rrketplace or refacts of thi rticularly giv	Recovery marketing and other bad acts. Rules 401, 402, 403 — Testimony does not lutimately redesigning its retrievable filters to create the G2 family (including the involve filter at issue and/or failure mode at issue; irrelevant and any probative filter at issue and/or failure mode at issue; irrelevant and any probative filter at issue and/or failure mode at issue; irrelevant and any probative filter are issue and/or failure mode at issue; irrelevant and any probative filter and probative filter and probative filter are relevable to ring filter and the G27 family (including the filter of sale and or failure of any probative filter are issue and/or failure mode at issue; irrelevant and any probative filter and sale and failure of irrelevant and any probative filter and its knowledge absed upon the failure of irrelevant to if Bard section and failure of irrelevant to among or failure mode at issue and/or failure mode at issue and in failure. This with the failure or implanted in plantiff. This with a failure of inflammandary purposes. And the testimony of this witness should be excluded in its entirety.
Greer, Jason 147:04-147:09 Sustain This exhibit is a Recovery mark Recovery mark involve filter at value outweigh damages claim witness left Bar marketplace or the facts of this Particularly give		is exhibit is a covery marky covery marky olve filter at lue outweigh mages claim thess left Bar arketplace or efacts of this fricularly give tetstimony ce	Recovery marketing and other bad acts. Rules 401, 402, 403 – Testimony does not invalve filter at issue and/or falluler mode at issue; Irrelevant and any probative marketing and other bad acts. Rules 401, 402, 403 – Testimony does not invalve the Recovery filter at issue and/or falluler mode at issue; Irrelevant and any probative marketing and design of the Gozyery filter, among the recovery filter are relevant to if Bard's employment years before the Eclipse filter was available in the manufacturer in connection with the filter. Bard's knowledge reservant of any probative marketing and design of the Gozyery Filter, is relevant to among other insplanted in Plaintiff. This witness flest manufacturer in connection with the filter. Bard's knowledge baard's family (including the manufacturer in connection with the filter. Bard's warnings were adequate and its knowledge based upon the failure of its testing and design of the Gozy and eclipse. Further, issues with the manufacturer in connection with the filter.
Greer, Jason 148:12-148:22 Sustain This ewhibit is a Recovery marke 11/2014 Starting with "in" Recovery marke involve filter at value outweigh damages claim withess left Bar marketplace or the facts of this particularly gives the testimony of t		is exhibit is a covery marks overy marks olve filter at lue outweigh mages claim thess left Bar arketplace or e facts of this rticularly give testimony c	This exhibit is an email was excluded by the Court's ruling on Bard's Mil. on Recovery marketing and other bad acts. Rules 401, 402, 403 – Testimony does not involve filter at issue) in response and/or fallule mode at issue; Irrelevant and any probative filter at issue) in response to the risk of the Recovery filter, and ananges claim dismissed. This case does not involve the Recovery filter. This witness left Bard's employment years before the Eclipse filter was available in the marketplace or implanted in Plaintiff. This witness/frestimony has no bearing on the featts of this case and is injected merely for inflammantary purposes. The testimony of this witness should be excluded in its entirety.
Greer, Jason 170:03-170:06 Overrule This exhibit is an Recovery market involve filter at involve filte		is exhibit is an covery market covery market in lue outweighe mages claim dicture. This wiful aliable in the repeating on the poses. Particumissed, the te	Recovery marketing and other bad acts. Rules 401, 402, 403 – Testimony does not intimately redesigning its retrievable filter's to create the G2 family (including the involved filter at issue and/or failure mode at issue; irrelevant and any probative involved filter at issue and/or failure mode at issue; irrelevant and any probative filter at issue and/or failure mode at issue; irrelevant and any probative filter at issue and/or failure mode at issue; irrelevant and any probative filter at issue and/or failure marketplace or implanted in Paintiff. This witness/testimony has no bearing on the facts of this case and is injected merely for inflammatory purposes. Particularly given that plaintiff's claim for punitive damages has been dismissed, the testimony of this witness should be excluded in its entirety.
Greer, Jason 173 07 Overrule Rules 401, 402, 08/11/2014 ending with "No. 12." regarding Bard probative value probative value punitive damage		les 401, 402, garding Bard s obative value nitive damage	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's knowledge regarding the Recovery Filter, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Recovery Filter is relevant and any punitive damages claim dismissed. Recovery Filter is relevant to, among chert principal effect, particularly with Plaintiff s filter at issue) in response to the risks of the Recovery Filter, is relevant to, among chert principal effect, particularly with Plaintiff s filter at issue) in response to the risks of the Recovery Filter, is relevant to, among chert principal effect, particularly with Plaintiff s filter at issue) in response to the risks, and Bard's including the filter are relevant to if Bard acted as a reasonable medical device manufacturer in connection with the filter.
Greer, Jason 174:10-174:13 Overrule Rules 401, 402, 08/11/2014 regarding Band probative value prohibite damage		les 401, 402, a garding Bard sobative value nitive damage	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's knowledge regarding the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Bard's knowledge regarding the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Bard's knowledge regarding the Recovery Filter is relevant to, among other things, Bard's warnings were adequate and its knowledge based upon the Failure of its testing and design of the G2X and eclipse. Further, issues with the Recovery Filter are relevant to if Bard acted as a reasonable medical device manufacture in connection with the filter.

DECICNEE	DEDONIENT	SINCITYINGISE	ONLITE	OBJECTION	BECONICES TO OBJECTIONS
PLAFIRM	Greer, Jason 08/11/2014	174:16-175:09	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Parad's knowledge regarding the Recovery Filter's risks, and Bard's intent in ultimately redesigning its retrievable filters to create the G2 family (including the filter at issue) in response to the risks of the Recovery Filter, is relevant to, among other things, Bard's warnings were adequate and its knowledge based upon the failure of its testing and design of the G2X and eclipse. Further, issues with the Recovery Filter are relevant to if Bard acted as a reasonable medical device manufacturer in connection with the filter.
DEF COUNTER	Greer, Jason 08/11/2014	174:10-175:11			
DEF COUNTER	Greer, Jason 08/11/2014	175:13-175:20			
DEF COUNTER	Greer, Jason 08/11/2014	175:22-176:05			
PLAFFIRM	Greer, Jason 08/11/2014	176:10-176:11	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This testimony does not involve the Recovery filter, Simon Nithol filter, or any permanent filter at all. In fact, the implanting physician in this case specifically wanted to use a retrievable filter, so the Simon Nitrinol filter has no bearing whatsoever on this case. This evidence has no probative value and is injected into the case merely in an attempt to inflame the jury.	
PLAFFIRM	Greer, Jason 08/11/2014	176:16-176:19	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantitif's punitive damages claim dismissed. This testimony does not involve the Recovery filter, Simon Nitino filter, or any permanent filter at all. In fact, the implanting physician in this case specifically wanted to use a retrievable filter, so the Simon Nitinol filter has no bearing whatsoever on this case. This evidence has no probative value and is injected into the case merely in an attempt to inflame the jury.	Bard's knowledge regarding the Recovery Filter's risks, and Bard's intent in ultimately redesigning its retrievable filters to create the G2 family (including the filter at issue) in response to the risks of the Recovery Filter, is relevant to, among other things, Bard's warnings were adequate and its knowledge based upon the failure of fits testing and design of the G2X and eclipse. Further, issues with the Recovery Filter are relevant to if Bard acted as a reasonable medical device manufacturer in connection with the filter.
PLAFFIRM	Greer, Jason 08/11/2014	176:24-176:25	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This testimony does not involve the Recovery filter, Simon Nithol filter, or any permanent filter at all. In fact, the implanting physician in this case specifically wanted to use a retrievable filter, so the Simon Nitrinol filter has no bearing whatsoever on this case. This evidence has no probative value and is injected into the case merely in an attempt to inflame the jury.	Bard's knowledge regarding the Recovery Filter's risks, and Bard's intent in ultimately redesigning its retrievable filters to create the G2 family (including the filter at issue) in response to the risks of the Recovery Filter, is relevant to, among other things, Bard's warnings were adequate and its knowledge based upon the failure of fils testing and design of the G2X and eclipse. Further, issues with the Recovery Filter are relevant to if Bard acted as a reasonable medical device manufacturer in connection with the filter.
PLAFFIRM	Greer, Jason 08/11/2014	177:03-177:04	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This testimony does not involve the Recovery filter, Simon Nitinol filter, or any parament filter at all. In fact, the implanting physician in this case specifically wanted to use a retrievable filter, so the Simon Nitinol filter has no bearing whatsoever on this case. This evidence has no probative value and is injected into the case merely in an attempt to inflame the jury.	Bard's knowledge regarding the Recovery Filter's risks, and Bard's intent in ultimately redesigning its retrievable filters to create the G2 family (including the filter at issue) in response to the risks of the Recovery Filter, is relevant to, among other things, Bard's warnings were adequate and its knowledge based upon the fallure of its testing and design of the G2X and eclipse. Further, issues with the Recovery Filter are relevant to if Bard acted as a reasonable medical device manufacturer in connection with the filter.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF BLANKET OBJECTION	Hudnall, Janet 11/03/2010			The testimony in this deposition relates entirely, or in significant part, to the design of the Recovery filter and actions taken regarding that filter. Bard objects to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its MIH.2. The testimony is largely focused on alleged "bad acts" relating to the	The references are not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10810)
PL AFFIRM	Hudnall, Janet 11/03/2010	5:01-5:02			
DEF COUNTER	Hudnall, Janet 11/03/2010	6:08-6:21			
PL AFFIRM	Hudnall, Janet 11/03/2010	6:22-7:01			
DEF COUNTER	Hudnall, Janet 11/03/2010	7:02-7:09			
DEF COUNTER	Hudnall, Janet 11/03/2010	7:19-7:24			
DEF COUNTER	Hudnall, Janet 11/03/2010	9:12-10:04			
PL AFFIRM	Hudnall, Janet 11/03/2010	16:25-17:08			
PL AFFIRM	Hudnall, Janet 11/03/2010	36:07-36:13			
PL AFFIRM	Hudnall, Janet 11/03/2010	36:15-36:25			
PL AFFIRM	Hudnall, Janet 11/03/2010	37:11-37:23			
PL AFFIRM	Hudnall, Janet 11/03/2010	39:18-41:01	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery or G2 filters."	Testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter, which is essentially an estigue design and the predicate device for the G2X. (40:11 – 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters She was the leader/quarterback for the filter franchise. (37:11 -37:23). Testimony regarding her background and responsibilities provides necessary for the jury to judge he knowledge and credibility. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/03/2010	40:11-40:21			
PLAFFIRM	Hudnall, Janet 11/03/2010	52:10-53:02	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter, which is essentially an Eclipse design and the predicate device for the G3X. (40:11-41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G3/G3X filters She was the leader/quarterback for the filter franchise. (37:11-37:23). Testimony regarding her background and responsibilities provides necessary for the jury to judge he knowledge and credibility. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/03/2010	53:24-54:12	Overrule	FRE 602, lack of foundation	
PLAFHRM	Hudnall, Janet 11/03/2010	77:19-78:15	Overrule	Rules 401, 402 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery filter."	Testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter, which is essentially an Eclipse design and the predicate device for the G2X. (40:11-41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters She was the leader/quarterback for the filter franchise. (37:11-37:23). Testimony regarding her background and responsibilities provides necessary for the jury to judge he knowledge and credibility. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/03/2010	78:16-79:01 end at "retrieved"	Sustain	FRE 602, lack of foundation; calls for speculation	

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/03/2010	79:18-79:22	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony purports to address Bard's state of mind. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff sunitive damages daim dismissed. "This case does not involve the Recovery filter."	Testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter, which is essentially an Eclipse design and the predicate device for the G2X. (40:11 - 41 01). The testimony from the withress establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters She was the leader/quarterback for the filter franchise. (37:11-37:23). Testimony regarding her background and responsibilities provides necessary for the jury to Judge her kowledge and credibility. The testimony is relevant to the warning and design defect claims. This also goes to Bard's intent that the Retrievable and later models such as the Eclipse were, according to Bard, permanent.
PL AFFIRM	Hudnall, Janet 11,03/2010	88:20-89:11	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery filter or filter fracture."	Testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter, which is essentially an Eclipse design and the predicate device for the G2X. (40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept adolised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters She was the leader/quarterback for the filter franchise. (37:11-37:23). Testimony regarding her background and responsibilities provides necessary for the jury to judge he knowledge and credibility. The testimony is relevant to the warning and design defect clains. This also goes to Bard's intent that the Retrievable and later models such as the Eclipse were, according to Bard, permanent. Bard knew it and didn't warn about it.

Hudnall 11.1.13

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF BLANKET	Hudnall, Janet			The testimony in this deposition relates entirely, or in significant part, to the	The references are not to cephalad migration death from the Recovery filter.
OBJECTION	11/01/2013			design of the Recovery filter and actions taken regarding that filter. Bard objects to the testimony under Rules 401, 402 and 403 and for the reasons set forth in its MULH.2. The testimony is largely focused on alleged "bad acts" relating to the Recovery (filter	Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not sexclude all references to cephalad migration only the cases of death. (MDL Doc. 10819)
DEF COUNTER	Hudnall, Janet 11/01/2013	5:20-5:22			
PL AFFIRM	Hudnall, Janet 11/01/2013	31:01-32:06 Starting with "What was"			
PL AFFIRM	Hudnall, Janet 11/01/2013	33:08-33:11			
DEF COUNTER	Hudnall, Janet 11/01/2013	35:20-35:21			
DEF COUNTER	Hudnall, Janet 11/01/2013	35:23-35:25			
PL AFFIRM	Hudnall, Janet 11/01/2013	36:04-36:11	Sustain	Rules 401, 402, 403. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence askirts.	
DEF COUNTER	Hudnall, Janet 11/01/2013	44:14-44:24	Overrule	FRE 401, 402: relevance; FRE 602 (lack of personal knowledge); FRE 701 (opinion by lay witness based on scientific, technical or other specialized knowledge).	
DEF COUNTER	Hudnall, Janet 11/01/2013	45:24-46:11			
PLAFFIRM	Hudnall, Janet 11/01/2013	46:12-46:25	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. "This case does not involve the Recovery Filter or Simon Nitinol Filter."	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40:11-41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -337.11-377.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PLAFFIRM	Hudnall, Janet 11/01/2013	53:12-53:20 beginning with "And as"	Overrule	Rules 401, 402, 403. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Nulse 301, 402, 403 — Testimony does not involve filter at Issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the C2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall-40:11-41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall =37.11-37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PLAFFIRM	Hudnall, Janet 11/01/2013	54:20-55:08	Overrule	Rules 401, 402, 403. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters, She was the leader/quarterback for the filter franches. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding ther background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.

DESIGNEE	DEPONENT	DESIGNATIONS	RITING	OBJECTION	RESPONSES TO ORIECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	55:16-56:08	Overrule	Rules 401, 402, 403. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue! Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. "This case does not involve the Recovery Filter."	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11-41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	56:15-57:12	Overrule	Rules 401, 402, 403. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403.Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue! Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. "This case does not involve the Recovery Filter or Simon Nitinol Filter."	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40:11-41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall - 37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	57:14-57:16	Overrule	Rules 401, 402, 403. Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. "This case does not involve the Recovery Filter."	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:13.17-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	67:09-67:13			
PL AFFIRM	Hudnall, Janet 11/01/2013	91:02-91:04	Overrule	Rules 401, 402 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	91:06-91:08 beginning with "Exhibit 20"	Overrule	Rules 401, 402 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery (2010.11.03 Hudnall -40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the juv to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	92:24-93:10	Overrule	Rules 401, 402 & 403-irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	95:20-95:24	Sustain	Rules 401, 402 & 403-Irrelevant and Unfairty Prejudicial. Testimony improperty suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff is punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudhall - 40:11 - 41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G3X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudhall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	99:01-100 05	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairty Prejudicial. Testimony improperty suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff is punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37:1137:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	100:06-101:03			
PL AFFIRM	Hudnail, Janet 11/01/2013	101:04-101:09	Sustain	Rules 401, 402 & 403-Irrelevant and Unfairty Prejudicial. Testimony improperty suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the 62 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	101:10-102:02			
PL AFFIRM	Hudnali, Janet 11/01/2013	102:03-102:08	Sustain	Rules 401, 402 & 403-irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, compliants and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
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PI AFFIRM	DEFONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
	Hudnall, Janet 11/01/2013	102::10-102::20	Sustain	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	108:02-108:08			
DEF COUNTER	Hudnall, Janet 11/01/2013	108:10-108:11			
PL AFFIRM	Hudnall, Janet 11/01/2013	108:13-108:17 beginning with "If there was"	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	108:19-108:22	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	109:16-109:25	Sustain	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperty suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2014	115:04-115:09 beginning with "So you"	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperty suggests that Bard had a financial motive for actions when no such evidence exists. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (20.0.1.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/GZX filters. She was the leader/quarterback for the filter franchise, (20.0.11.03 Hudnall -37:11-37:23). Testimony regarding the background and responsibilities provides necessary foundation for the jurt to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	115:17-116:09 beginning with "were you there"	Overrule	Rules 401, 403, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11-41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchies, (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	136:13-136:25			
DEF COUNTER	Hudnall, Janet 11/01/2013	138:13-139:02			
PL AFFIRM	Hudnail, Janet 11/01/2013	140:07-140:11	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	141.25-142.07	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	142:13-142:20			
DEF COUNTER	Hudnall, Janet 11/01/2013	142:21-143:15			
PL AFFIRM	Hudnall, Janet 11/01/2013	147:01-147:10	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery Filter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franches, (2010.11.03 Hudnall -37:11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	147:11-148:11			

Headrall, larest 14820-148.2 10 Deverse modes at lease, transport and any poblete was been bringed frails and a size of the control of the co	DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
Hudball Janet 148-20-148-25 Hudball Janet 15021-55021 Hudball Janet 15021-55031 Hudball Janet 15021-55031 Hudball Janet 15021-55031 Hudball Janet 15020-55031 Hudball Janet 15	PL AFFIRM	Hudnall, Janet 11/01/2013	148:12-148:19	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puntive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudhall - 40.11 - 41.01.) The and predicated upon the Recovery, (2010.11.03 Hudhall - 40.11 - 41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training coccurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudhall -37.1137.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
Hedonii, Jamet 159.15-15021 Hedonii, Jamet 1100,2003 Hedonii, Jamet 1100,2003 Hedonii, Jamet 110,2003	F COUNTER	Hudnall, Janet 11/01/2013	148:20-148:25			
Hiddoll, Janet 1903-45:13.7 Hiddoll, Janet 1050-315:13.7 Devertible modes a fixuse (relevant and any potable value cathweighted by potalicial regressentiation" 11/01/2013 appropriate with "The processing of the cathweighted of the cathweighted by potalicial any potable value and	L AFFIRM	Hudnall, Janet 11/01/2013	150:15-150:21			
Hudnall, Janet Hudnall, Janet	L AFFIRM	Hudnall, Janet 11/01/2013	150:24-151:17 beginning with "The representation"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to Irrelevant and prejudicial evidence regarding grant s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G3x, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The estimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37:1137:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
Hudnali, Janet 155.21-156:01 Hudnali, Janet beginning with "irt's an effect, particularly with Plaintiff s punitive damages claim dismissed. Alles 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Hudnali, Janet 156:03-156:05 Where 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Hudnali, Janet 156:03-156:05 Overrule Rules 401, 402, 403 - Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	LAFIRM	Hudnall, Janet 11/01/2013	155:03-155:19	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puntive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Rowery. (2010.11.03 Hudhall -40:11-41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training coccurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudhall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
Hudnall, Janet 156:03-156:05 Overrule Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	L AFFIRM	Hudnall, Janet 11/01/2013	155:21-156:01 beginning with "I't's an improvement"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial fett, particulanty with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403—Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and acteribility, as well as Bard's knowledge and design defect claims.
	LAFFIRM	Hudnall, Janet 11/01/2013	156:03-156:05 beginning with "Because"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial fact, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/GZX filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:13 -37:23). Testimony regarding her background and responsibilities provides necessary foundation for the juv to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFFIRM	Hudnall, Janet 11/01/2013	157:01-158:03	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard is conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall - 37:13-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the judge her knowledge and credibility, as well as Bard's knowledge and adversion and design defect claims.
PLAFFIRM	Hudnall, Janet 11/01/2013	158:20-159:04	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudical evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall = 37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	163:07-163:21			
PLAFFIRM	Hudnall, Janet 11/01/2013	166:06-166:11	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; frrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -337.11.372.3). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PLAFFIRM	Hudnall, Janet 11/01/2013	167.07-168.04	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the C2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall - 37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PLAFFIRM	Hudnall, Janet 11/01/2013	168:18-169:02	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery (2010.11.03 Hudnall -40:11-41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding the background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.

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PL AFFIRM	DEPONENT Hudnall, Janet 11/01/2013	DESIGNATIONS 169:18-170:18 Starting with "this is"	RULING Overrule	OBLECTION 1.402, 403.—Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	RESPONSES TO OBJECTIONS The testimony describes her piob responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training cocurring with the Recovery and G3/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11 -37:23). Testimony regarding her background and responsibilities provides necessary foundation for the Jury to judge her knowledge and credibility, as well as Bard's knowledge and action/invalcino based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	170:20-170:25	Overrule	Rules 401, 402 - Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2011.03 Hudnall -40:11 - 40.01. The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/maction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	171:02-171:19	Overrule	Rules 401, 402 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40.11 - 41 0.11. The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to jugg her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	172:16-172:20			
PL AFFIRM	Hudnall, Janet 11/01/2013	172:21-173:05	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value unuveighed by prejudicial effect, particularly with Plaintiff's punitive damages	The testimony of the witness establishes her knowledge of the subject matter of the question. See above for responses to FRE 402,403.
PL AFFIRM	Hudnall, Janet 11/01/2013	173.24-174.05	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages relain disnitesed.	The testimony of the witness establishes her knowledge of the subject matter of the question. See above for responses to FRE 402,403.
PL AFFIRM	Hudnall, Janet 11/01/2013	174:08-174:11 beginning with "Okay."	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages	The testimony of the witness establishes her knowledge of the subject matter of the question. See above for responses to FRE 402,403.
PL AFFIRM	Hudnall, Janet 11/01/2013	174:13-174:19 beginning with "I mean"	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value usureighed by prejudicial effect, particularly with Plaintiff's punitive damages	The question. See above for responses to FRE 402,403.
DEF COUNTER	Hudnall, Janet 11/01/2013 1 13	174:23-175:18	Sustain	175:16-18: non-responsive. Witness did not answer the question asked and instead offered an unsolicited opinion that is outside of her area of expertise and knowledge and is based on speculation: RRE 602 (lack of personal knowledge); RRE 701 (opinion by lay witness based on scientific, technical or other specialized knowledge). Witness then disclaimed knowledge of the subject matter: 176:8-9;	143

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnali, Janet 11/01/2013	178:09-178:19	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11 -37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	179:02-180:12	Overrule	Rules 401, 402 - 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37.11 -37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and activity action based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	181:01-181:23 begin at "I showed"			
PL AFFIRM	Hudnail, Janet 11/01/2013	184:02-184:17 beginning with "you're"	Overrule	Rules 401, 402 - 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37.11 - 37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and activation based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	185:10-186:03	Overrule	Rules 401, 402 - 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37.11 -37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	186:04-186:11	Overrule	FRE 403: Misleading and confusing; optional completeness: delete 186:4-5 or add 185:25-186:3 so the context of 186:4-5 is clear.	
DEF COUNTER	Hudnall, Janet 11/01/2013	186:13-186:17			
PL AFFIRM	Hudnall, Janet 11/01/2013	186:18-187:02	Overrule	Rules 401, 402 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (20.0.1.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quaterback for the filter fanchise, (20.0.1.03 Hudnall -37:11 - 37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and destin defert chains.
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Hudnall, Janet 11/01/2013	187:10-187:14 begin at "No one"			
PL AFFIRM	Hudnall, Janet 11/01/2013	187.15-187.18	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (200.11.03 Hudnall -40:11 - 41.01). The testimony from the withress establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	188:06-188:09	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (200,11.03 Hudnall -40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:123). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	188:11-188:12	Overrule	FRE 403: Misleading and confusing: "I'm sorry" is not a question. This is not proper testimony.	
DEF COUNTER	Hudnall, Janet 11/01/2013	188:18-189:03			
PL AFFIRM	Hudnall, Janet 11/01/2013	192:24-193:05	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary doundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	193:06-193:12			
PL AFFIRM	Hudnall, Janet 11/01/2013	194:20-194:25	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010,110,3 Hudnall -40:11-41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010,11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
DEF COUNTER	Hudnall, Janet 11/01/2013	195:10-196:06			

DECIGNEE	TIPONIENT	SECULATIONS	ONLING	OBJECTION	BESDONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	196:07-196:13	Overrule	2, 403 — Testimony relates to irrelevant and prejudicial evidence d s conduct related to the Recovery Filter. Irrelevant and any se outweighed by prejudicial effect, particularly with Plaintiff s ages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product. Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.1.103 landhall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and eaction/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudhall, Janet 11/01/2013	196:15-196:18	Overrule	Rules 401, 402 - Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2A, both of which are essentially the same design as the Eclipse and predicated upon the Recover, (2010.11.03 Hudnall -40:11-41.01). The restimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims.
PL AFFIRM	Hudnall, Janet 11/01/2013	205:24-206:03 beginning with "This is an"	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial fefter, particularly with Plaintiff spunitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value toutweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall .40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. Col.10.3 Hudnall -37:11-37:23). Testimony regarding for the filter franchise. Out 10.3 Hudnall -37:11-37:23). Testimony regarding ber ber background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	206:05-206:15 beginning with "Have you ever"	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value toutweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, 100.011.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	206:20-207:01	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Rules 401, 402, 403—Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value toutweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action in the testimony is relevant to the warning and design defect claims. In addition the winness testified to being a recipient of the decument and her testimony establishes her knowledge of the subject matter.
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RESPONSES TO OBJECTIONS	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters, She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warming and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.			The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the Q2 filter the predicate device for the G2X, both of which are essentially the same design as the Edipse and predicated upon the Recovery (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery (2010.1.03 Hudnall - 37.11.37.23). Testimony regarding for the filter franchise. (2010.1.03 Hudnall - 37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicate duon the Recovery. (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.
OBJECTION	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and may probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602 & 612. Wilness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403—Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602. & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 403—Testimony relates to irrelevant and prejudicial evidence regarding Bard, 300-duct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puntitive damages claim dismissed. Rules 401, 403. — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding. Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.
RULING	Sustain	Sustain	Sustain	Sustain	Sustain
DESIGNATIONS	209:06-209:16	210:15-210:23	211:04-211:10 beginning with "'This leads""	211:21-212:08 beginning with ""That the blood." Ending with "filter" redacted "and send it crashing into someone's heart and kill them"	212:12-212:21 beginning with "Was it"
DEPONENT	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013
DESIGNEE	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM

OBJECTIONS	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the GZ filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training cocuring with the Recovery and GZ/GZX filters. She was the leader/quarerback for the filter franchise, (2010.11.03 Hudnall -37:11-37:23). Testimony regarding ther background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery (2010.11.03 Hudnall -40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training corcuring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery (2010.1.103 Hudnall -40:11 - 41 0.1). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training corcuring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11 -37:23). Testimony regarding ther background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warring and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and adversion and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.
RESPONSES TO OBJECTIONS				
OBJECTION	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive danages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Whress does not have personal knowledge of document. Winness was shown a document, was not familiar with it and testified that he/sine does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive danages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and unfairly prejudicial. Rules 601,602 & 612. Withess does not have personal knowledge of document. Withess was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive danages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive danages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.
RULING	Sustain	Sustain	Sustain	Sustain
DESIGNATIONS	213:21-213:25 beginning with ""This is a simple"	214:24-215:08 beginning with "Okay."	217:02-217:09 beginning with "When"	217:11-217:20 beginning with "and
DEPONENT	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013
DESIGNEE	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM

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OBJECTION	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s. conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601,602 & 612. Whitess does not have personal knowledge of document. Withous shown a document, which with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s. onduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Witness obeas on the Nowlegge of document. Witness 601/602 & 612. Witness obeas on the Nowlegge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge of does not have personal showledge of counters has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive danages claim dismissed. Rules 401, 402, 403 — Testimony relates to Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 605/602 & 612. Withess does not have personal knowledge of document. Withess was shown and adocument, was not familiar with it and testified that he/she does not have personal snowledge about it or the circumstances. See 204:10-204:12. The withness has never seen the document before and has no personal knowledge of it.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive danages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601,602 & 612. Witness does not have personal knowledge of document. Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The witness has never seen the document before and has no personal knowledge of it.
RULING	Sustain	Sustain	Sustain	Sustain	Sustain
DESIGNATIONS	218:24-219:17	220:08-221:11 beginning with "Now"	221:19-221:22 beginning with "I mean".	222:05-222:14 beginning with "Migration"	222:17-222:19 beginning with "In larger"
DEPONENT	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013	Hudnall, Janet 11/01/2013 11/01/2013 11/01/2013 11/01/2013 11/01/2013
DESIGNEE	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PLAFFIRM Hudnall 11.1

DESIGNEE PL AFFIRM	DEPONENT Hudnall, Janet	DESIGNATIONS 225:14-225:18	RULING Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure	RESPONSES TO OBJECTIONS The testimony describes her job responsibilities at BPV as a Senior Product
	11/01/2013			olue is is les trness es not The	Manager a position which was directly involved with the G2 filter the predicate device for the G3X both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40.11 - 41 01). The testimony from the witnesse stablishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37.11 - 37.23), restimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition the witness testified to being a recipient of the document and her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudhall, Janet 11/01/2013	226:15-226:21	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial note; particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding bard s conduct related to the Recovery Filter. Irrelevant and any probative value to Burd so conduct related to the Recovery Filter. Irrelevant and any probative value to Burdesigned by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness twas shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The jawitness has never seen the document before and has no personal knowledge of it. a significance of the second stranges of the second seco	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and adversion and design defect claims. In addition her testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	227:01-227:12	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding a bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness thave personal knowledge about it or the circumstances. See 204:10-204:12. The juntities have personal knowledge about it or the circumstances. See 204:10-204:12. The juntities has never seen the document before and has no personal knowledge of it. a witness has never seen the document before and has no personal knowledge of it. a signal and a second se	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41 01). The testimony from the winess establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to Judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	227:16-227:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding a Bard s conduct related to the Recovery Filter. Irrelevant and any probative value to utweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 601/602 & 612. Witness does not have personal knowledge of document. Witness for was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See 204:10-204:12. The junitive shas never seen the document before and has no personal knowledge of it. a witness has never seen the document before and has no personal knowledge of it. a significant to the circumstances.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G3X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41 01). The astimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to Judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PLAFFIRM	Hudnall, Janet 11/01/2013	273:01-274:04 beginning with "Is this your"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial nodes at issue, irrelevant and any probative value outweighed by prejudicial factt, particularly with Plaintiff s punitive damages claim dismissed. Restimony relates to irrelevant and prejudicial evidence regarding a Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Amanger a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall 40.11 - 41 01). The testimony from the witness establishes that she was in contact with a number testimony from the witness establishes that she was in contact with a number occurring with the Recovery and G2/G2X filters, She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall -37:11.37.21). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and design defect claims. In addition her testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	279:13-279:24 beginning with "And then the"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Palantiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the Caf filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (20.0.1.03 Hudhall - 40.11 - 41 01). The testimony from the witness establishes that she was in contact with a number testimony from the witness establishes that she was in contact with a number destimony from the witness of the adverse events, complaints and training occurring with the Recovery and 62/GZX filters, She was the leader/quarterback for the filter franchise. (20.0.11.03 Hudhall -37:1137:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and edsting nefect claims. In addition her testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	280:25-281:03	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages daim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G3X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	281.25-282.10 redacted "en death, I mean"	Sustain	This testimony violates the Court's ruling on Recovery migration deaths. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules, 401, 402, 403 —Testimony relates to irrelevant and prejudicial evidence regarding Bard is conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G3X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudhall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G3X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudhall -37:11 -37:23). Testimony regarding the background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and extion/inaction based thereon. The testimony is relevant to the warning and estion direct claims. In addition her testimony establishes her knowledge of the subject matter. With the redactions, the references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Hudnall, Janet 11/01/2013	282:12-282:15 beginning with "It was" Redacted lines 282:16- 283 01	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Band's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudnall - 37:11 - 37:23), Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.

DESIGNEE	DEPONENT	DESIGNATIONS	BIIING	OBJECTION	BESDONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	296:09-296:19	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Band's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes here job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall-40.11-41.01). The testimony from the winess establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall-37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	296:21-297:07 beginning with "That was"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall - 40.11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, compliants and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to idage her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	297.09-297.18 Deginning with "Effectiveness"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11.3723). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the
PL AFFIRM	Hudnall, Janet 11/01/2013	316.09-316:17 beginning with "if you"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inscrition based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	316.19-317.09 beginning with "Do you"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter fanchies, (2010.11.03 Hudnall -37.11.37.33). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and design defect claims. In addition her testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the
Hudnall 11.1.13	1.13				152

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	347.11.34 beginning with "Looking at"	Overruie	Rules 401, 402, 403. does not involve fitter at issue and/or Tailure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The estimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarter/ack for the filter franchise. (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to aloge her knowledge and credibility, as well as Bard's knowledge and dation for the subject claims. In addition her testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the
DEF COUNTER	Hudnall, Janet 11/01/2013	318:02-318:06	Overrule	FRE 602 (lack of personal knowledge); FRE 701 (opinion by lay witness based on scientific, technical or other specialized knowledge); FRE 802: Hearsay.	
PL AFFIRM	Hudnall, Janet 11/01/2013	340.03-340.08 beginning with "Do you"	Sustain	ludge Campbell sustained Defendants' objection in the MDL bellwether trials. This testimony was not allowed, and Judge Campbell ruled: "The question is not evidence." Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. This designation was excluded in the MDL.	
PL AFFIRM	Hudnall, Janet 11/01/2013	340:11 beginning with "I have"	Sustain	ludge Campbell sustained Defendants' objection in the MDL bellwether trials. This testimony was not allowed, and Judge Campbell ruled: "The question is not vedence." Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. This designation was excluded in the MDL.	
PL AFFIRM	Hudnall, Janet 11/01/2013	342.23-343:14 beginning with "You telling" Redact "including death" at line 10.	Overrule with redaction	This designation violates the Court's ruling on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the 2C filter the predicate device for the GZX, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudhall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and GZ/GZX filters. She was the leader/quarterback for the filter franchise, (2010.11.03 Hudhall -37:11-37:23). Testimony regarding the background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter. With the redactions, the references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Hudnall, Janet 11/01/2013	344:18 beginning with "I am"	Overrule	Rules 401, 402 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -371.1.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFHRM	Hudnall, Janet 11/01/2013	344:20 beginning with "Yes or"	Overrule	Rules 401, 403, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010, 11.03 Hudnall -40.11 -41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training cocurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. [2010.11.03 Hudnall -37:11-37:23]. Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect cliams. In addition her testimony establishes her knowledge of the subject matter.
DEF COUNTER	Hudnall, Janet 11/01/2013	348:10-348:13	Sustain	FRE 403: Misleading and confusing; optional completeness. The question is out of context; there is no way for the jury to determine what is being referred to by the question: "Is that okay with you". The context from the preceding pages is that there would be additional deaths if the Recovery was not taken off the market. Additional testimony should be designated to provide context, or the testimony should be stricken. FRE 401, 402: Relevance: Plaintiff did not designate the testimony that this concerns. Beyond the scope of direct.	
DEF COUNTER	Hudnall, Janet 11/01/2013	348:15-348:18	Sustain	FRE 403: Misleading and confusing, optional completeness. The question is out of context; there is no way for the jury to determine what is being referred to by the question: "Is that okay with you". The context from the preceding pages is that quee would be additional deaths if the Recovery was not taken off the market. Additional testimony should be designated to provide context, or the testimony should be stricken. FRE 401, 402: Relevance: Plaintiff did not designate the testimony that this concerns: Beyond the scope of direct.	
PLAFFIRM	Hudnall, Janet 11/01/2013	348:19-348:23 beginning with "Why weren t"	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40:11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding the background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/linatch based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PLAFFIRM	Hudnall, Janet 11/01/2013	348.25-349:02 beginning with "Well"	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintif s punitive damages claim dismissed. Rules 401, 402 & 403 rrrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall-40.11.41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. [2010.11.03 Hudnall-37:11-37:23]. Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect cliams. In addition her testimony establishes her knowledge of the subject matter.

DEPONENT	DESIGNATIONS	BIIIING	OBJECTION	RECOUNCES TO ORIECTIONS
11/01/2013	349:04-349:19	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punithed damages claim dismissed. Rules 401, 402 & 493-Irrelevant and Unfairly Prejudicial. Testimony improperly suggests that Bard had a financial motive for actions when no such evidence exists.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the 27 filter the predicate device for the G2X, both of which are essentially the same design as the Edipse and predicated upon the Recovery, (2010.11.03 Hudnall -40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quadretback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and design defect claims. In addition her testimony is relevant to the warning and design defect matter.
Hudnall, Janet 11/01/2013	349:22-350:02	Overrule	FRE 401, 402, 403: Statement of attorney is followed by a statement from the witness, but no question was asked. Not proper testimony/evidence. FRE 701 (opinion by witness based on scientific, technical or other specialized	
Hudnall, Janet 11/01/2013	350:04-350:05	Overrule	FRE 401, 402, 403: Statement of attorney is followed by a statement from the witness, but no question was asked. Not proper testimony/evidence. FRE 701 (opinion by lay witness based on scientific, technical or other specialized knowledge)	
11/01/2013	358:05-358:15 beginning with "You were"	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the 25 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and design/inaction based thereon. The testimony is relevant to the warning and design defect a lains. In addition her testimony establishes her knowledge of the subject matter.
11/01/2013	358:24-359:04 beginning with "Then when"	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery. (2010.11.03 Hudnall -40:11 - 41 01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/maction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
11/01/2013	359:06-359:13 beginning with "Okay."	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the Q2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall -40:11-41.01.) The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.

DESIGNEE	DEPONENT	DESIGNATIONS	RIIING	OBIECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet 11/01/2013	359:16-339:18 beginning with "Isn't that"	Overrule	2, 403. Testimony does not involve filter at issue and/or failure ep. Irrelevant and any probative value outweighed by prejudicial larly with Plaintiff s punitive damages claim dismissed. Rules 401, stimony relates to irrelevant and prejudicial evidence regarding t related to the Recovery Filter. Irrelevant and any probative value y prejudicial effect, particularly with Plaintiff s punitive damages ed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.1.1.03 Hudnall - 40:11 - 41.01). The testimony from the winess establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.1.1.03 Hudnall -37:11 -37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design develect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudhall, Janet 11/01/2013	359:20-360:08 beginning with "When it"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding band s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.11.03 Hudnall - 40.11 - 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11-37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warning and design delect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	360:10-360:12 beginning with "Yes."	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding BA02, 403 — Testimony relates to irrelevant and prejudicial evidence regarding boutweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.1.03 Hudnall - 40.11. 4.1 0.1). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/innaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	360:14 beginning with "Okay."	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding BA02, 403 — Testimony relates to irrelevant and prejudicial evidence regarding as conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the G2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery, (2010.1.03 Hudnall - 40.11. 4.1 0.1). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery and G2/G2X filters. She was the leader/quarterback for the filter franchise. (2010.11.03 Hudnall -37:11.37:23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/innaction based thereon. The testimony is relevant to the warning and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
PL AFFIRM	Hudnall, Janet 11/01/2013	370:16-370:22 beginning with "Would it"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, effect, particularly with Plaintiff's punitive damages to a conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The testimony describes her job responsibilities at BPV as a Senior Product Manager a position which was directly involved with the C2 filter the predicate device for the G2X, both of which are essentially the same design as the Eclipse and predicated upon the Recovery (2010.11.03 Hudhall - 40.11 41.01). The testimony from the witness establishes that she was in contact with a number departments and kept advised of the adverse events, complaints and training occurring with the Recovery G2XZ filters. She was the leaded/quarterback for the filter franchise, (2010.11.03 Hudhall -37.11.37.23). Testimony regarding her background and responsibilities provides necessary foundation for the jury to judge her knowledge and credibility, as well as Bard's knowledge and action/inaction based thereon. The testimony is relevant to the warming and design defect claims. In addition her testimony establishes her knowledge of the subject matter.
udnall 11.1.13	1.13	-			156

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Hudnall, Janet	370:24-370:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure	The testimony describes her job responsibilities at BPV as a Senior Product
	11/01/2013	beginning with "I can't"		modes at issue; Irrelevant and any probative value outweighed by prejudicial	Manager a position which was directly involved with the G2 filter the predicate
				effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401,	device for the G2X, both of which are essentially the same design as the Eclipse
				402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding	and predicated upon the Recovery. (2010.11.03 Hudnall - 40:11 - 41 01). The
				Bard s conduct related to the Recovery Filter. Irrelevant and any probative value testimony from the witness establishes that she was in contact with a number	testimony from the witness establishes that she was in contact with a number
				outweighed by prejudicial effect, particularly with Plaintiff s punitive damages	departments and kept advised of the adverse events, complaints and training
				claim dismissed.	occurring with the Recovery and G2/G2X filters. She was the leader/quarterback
					for the filter franchise. (2010.11.03 Hudnall -37:11 -37:23). Testimony regarding
					her background and responsibilities provides necessary foundation for the jury to
					judge her knowledge and credibility, as well as Bard's knowledge and
					action/inaction based thereon. The testimony is relevant to the warning and
					design defect claims. In addition her testimony establishes her knowledge of the
					subject matter.

Hudnall 11.1.13

DESIGNEE	DEPONENT	DESIGNATIONS	BIIING	ORIFCTION	BESPONSES TO OBJECTIONS
PL AFFIRM	Kandarpa, Krishna 07/19/2018	10:04-10:15			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	24:01-26:24	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to question at 26:22-24 (witness did not "design" study); Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to answer at 27:5-9 (witness did not "design"	basic information concerning background of the study which he knows all about as he was a medical monitor of and for the study. See p 24.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	27:04-30:23	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to question at 26:22-24 (witness did not "design" study); Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to answer at 27:5-9 (witness did not "design" ethals).	basic information concerning background of the study which he knows all about as he was a medical monitor of and for the study. See p 24.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	32:12-32:15			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	32:21-33:10			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	33:12-33:16			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	34:11-34:16	Overrule	Rules 401, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	he is the medical monitor and this is basic background on what he did. It is relevant information.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	35:06-35:13	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	he is the medical monitor and this is basic background on what he did. It is relevant information.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	52:05-53:02			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	53:09-56:10			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	56:13-56:17			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	56:19-57:01			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	57:03			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	57:05-58:01			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	58:03			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	58:05-59:01			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	60:04-60:07			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	60:09-60:20	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 60.4-16; MDL court sustained objection in 9 12.18 order [Dkt No. 12590])	he has personal knowledge as the medical monitor.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	60:22-61:20	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to 61:15-20, witness testifies he is assuming at 61:20)	he has personal knowledge as the medical monitor.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	62:22-63:04	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairty Prejudicial. Testimony purports to address Bard's state of mind. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 63:1-4 and 63:6-10; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590])	This is relevant as Bard sponsered a study of its G2 (essentially the same design as the Edipse and G2X) and had control over the parameters of the study. It did not lok at safety or efficacy, not did it seek to confirm or refute the significant problems with the G2 filter designs. Bard later relied upon the study in determining the nature and extent of its product warnings.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	63:06-63:24	Overrule	Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Testimony purports to address Bard's state of mind. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 63:1-4 and 63:6-10; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590])	This is relevant as Bard sponsered a study of its G2 (essentially the same design as the Edipse and G2X) and had control over the parameters of the study. It did not lok at safety or efficacy, not did it seek to confirm or refute the significant problems with the G2 filter designs. Bard later relied upon the study in determining the nature and extent of its product warnings.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	67:17-67:21			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	67:24-68:03			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	68:20-69:16			

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PL AFFIRM	Kandarpa, Krishna	71:18-74:03	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the	Again, the Eclipse was nearly identicle in design to the filters being discussed by
	07/19/2018			claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	74:06-74:14	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect, Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 601/602 & 612. Lack's foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 74:10-14; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590])	Again, the Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	74:17-75:06	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know would expect a manufacturer to tell him/her. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness (as to 74:17-75.2; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590]) Rule 701. Testimony is improper opinion testimony by a lay witness (as to 74:14-6)	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	75:08-75:14	Overrule	Rule 701. Testimony is improper opinion testimony by a lay witness	He is not stating an opinion.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	76:19-80:24			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	81:02-81:19			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	81:21-81:24	Overrule	This exhibit should not be marked or shown to the jury. All testimony regarding it was excluded by agreement of counsel (Dkt. 81, Para. 6, page 7) and the Court's ruling on Bard's MIL Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness is being ask to lay foundation for document not created by him).	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	91:17-92:18			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	92:20-93:24	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to 93:18-24; witness is being asked to interpret document he did not prepare)	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all (22 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject
PL AFFIRM	Kandarpa, Krishna 07/19/2018	94:02-96:22	Sustain as to 94:11-94:22	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to 94:2-21; witness is being asked to interpret document he did not prepare; witness answer is speculation ("I suspect"))	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject master.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	96:24-97:12			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	97:14-98:23			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	99:01-100 06			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	100:08-101:02	Sustain	Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 100:8-22; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590]). As to 100:8-22, testimony is improper narrative with no question pending (MDL sustained objection on this ground as well as Rule 701).	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	101:04-101:21			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	101:23-103:06			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	103:08-104:11			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	104:13-105:01			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	105:03-106:17			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	106:19-107:19			
Kandarpa 7.19.18	19.18				159

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Kandarpa, Krishna 07/19/2018	107:21-108:01			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	108:10-108:12			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	109:04-109:05			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	109:15-109:16			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	109:24-110:22			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	110:24-113:04	Overrule	Rule 701. Testimony is improper opinion testimony by a lay witness. (as to question at 113:3-4; question is not in relation to Dr. Kandarpa's role as medical monitor)	The witness is stating facts within his knowledge as the medical moniter. No opinion testimony is solicited.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	113:06-114:06	Overrule	Rule 701. Testimony is improper opinion testimony by a lay witness. (as to answer at 113:6-14; question and answer is not in relation to Dr. Kandarpa's role as medical monitor!	The witness is stating facts within his knowledge as the medical moniter. No opinion testimony is solicited.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	114:08-115:10			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	115:13-116:04			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	116:06-117:23			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	118:01-119:03			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	119:05-119:15			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	119:17-119:21			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	120:12-120:17			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	120:21-123:04	Overrule	Rule 611(c) Leading question of witness on direct. (as to question at 123:3-4)	question to deveope testimony
PL AFFIRM	Kandarpa, Krishna 07/19/2018	123:06-123:12	Overrule	Rule 611(c) Leading question of witness on direct. (all questions are leading)	same
PL AFFIRM	Kandarpa, Krishna 07/19/2018	123:14-124:01	Overrule	Rule 611(c) Leading question of witness on direct. (all questions are leading)	same
PL AFFIRM	Kandarpa, Krishna 07/19/2018	124:04-124:07	Overrule	Rule 611(c) Leading question of witness on direct.	same
PL AFFIRM	Kandarpa, Krishna 07/19/2018	124:09-124:14	Overrule	Rule 611(c) Leading question of witness on direct. (as to answer at 124:9) Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective armings. The testimony of the witness establishes his knowledg of the subject marter.
PLAFFIRM	Kandarpa, Krishna 07/19/2018	124:16-125:04	Sustain as to 126:2-126:4	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to question at 126:2-4; goes beyond scope of doctor's role as medical monitor for study)	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective arraings. The testimony of the witness establishes his knowledg of the subject marter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	125:07-125:18	Overrule	Rule 701. Testimony is improper opinion testimony by a lay witness. (as to answer at 1.26:7-13; goes beyond scope of doctor's role as medical monitor for study) Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective marnings. The testimony of the witness establishes his knowledg of the subject martner.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	125:20-126:04	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 701. Estimony is improper opinion testimony by a lay witness. (as to question at 126:1-4; 9 MDL court sustained objection in 9.12.18 order [Dkt. No. 12590]) Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at Issue.	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	126:06-126:20	Sustain as to 126:7-126:13	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to answer at 126:6-15; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590]) Rules 401, 402 & 403. irrelevant and Unfairty Prejudicial. Testimony does not address injury or failure mode at issue.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESP(RESPONSES TO OBJECTIONS
PL AFFIRM	Kandarpa, Krishna 07/19/2018	126:22-127:04	Sustain	Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does not The Ec address injury or failure mode at issue. Such fa such fa waren in a such fa maren in a such fa maren in an ann maren in a such fa such f	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective armings. The testimony of the witness establishes his knowledg of the subject marter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	127:06-128:05	Sustain	Rules 401, 402 & 403. Irrelevant and Unfairty Prejudicial. Testimony does not address injury or failure mode at issue. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation such failure mode at issue. Rules 601,602 & 612. Lacks foundation, such failure than 611(c) Leading question of witness on direct. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 128:1-5; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590]) Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect, Rules 401, 402, and 403 – restimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PLAFFIRM	Kandarpa, Krishna 07/19/2018	128:07-128:12	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 611() Leading question of witness on direct. Rule 70.1 Testimony is improper opinion testimony by a lay witness. (MDL court sustained objection in 9.12.18 order [Dkt. Not. 12590]) Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403 — testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	128:15-129:15	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the The Ecl claims or causes of action at issue in the case; Irrelevant and any probative value witness outweighed by prejudical effect. Nuels 401, 402, and 403 – testimony concerns such fa worth physician would have wanted to know, would expect a manufacturer to tell warninh him/her. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does matter not address injury or failure mode at issue. Rule 701. Testimony is improper opinion testimony by a lay witness.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PLAFFIRM	Kandarpa, Krishna 07/19/2018	129:17-130:09	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the The Ecil claims or causes of action at issue in the case; Irrelevant and any probative value witness outweighed by prejudicial effect. Whiles 401, 402, and 403 – testimony concerns such famourab physician would have wanted to know, would expect a manufacturer to tell warning him/her. Rules 401, 402, 8, 403. Irrelevant and Unfairly Prejudicial. Testimony does matter. not address injury or failure mode at issue. Rule 701. Testimony is improper opinion testimony by a lay witness.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PLAFFIRM	Kandarpa, Krishna 07/19/2018	130:11-130:19	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the The Ecl claims or causes of action at issue in the case; Irrelevant and any probative value witness outweighed by prejudicial effect. Rules 401, 402, and 403 – testimony concerns such faworule physician would have wanted to know / would expect a manufacturer to tell warnin him/her. Rules 401, 402 & 403. Irrelevant and Unfairty Prejudicial. Testimony does matter not address injury or failure mode at issue. Rule 701. Testimony is improper opinion testimony by a lay witness.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledg of the subject matter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	131:13-131:18	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the Claims or causes of action at issue in the case; Irrelevant and any probative value witness outweighed by prejudical effect. Where 401, 402, and 403 – testimony concerns such fawhat physician would have wanted to know/ would expect a manufacturer to tell warmin him/her. Rules 401, 402 & 403. Irrelevant and Unfairly Prejudicial. Testimony does matter. not address injury or failure mode at issue. Rule 701. Testimony is improper opinion testimony by a lay witness. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to 131:11-18; MDL court sustained objection in 9.12.18 order [Dkt. No. 12590])	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective avanchiga. The testimony of the witness establishes his knowledg of the subject matter.

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Assumes facts not in evidence; calls for speculation
Sustain Assumes facts not in evidence; calls for speculation
Overrule Assumes facts not in evidence; calls for speculation
Overrule Assumes facts not in evidence; calls for speculation
Overrule Assumes facts not in evidence; calls for speculation
Overrule Assumes facts not in evidence; calls for speculation;FRE 402, 403
Sustain misstated the answer of the witness
Sustain asked and answered
Overrule FRE 402
Sustain hearsay; calls for speculation
Overrule hearsay; calls for speculation
Overrule FRE 602
Overrule misstated the answer of the witness
Overrule

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONS	RESPONSES TO OBJECTIONS
DEF COUNTER	Kandarpa, Krishna 07/19/2018	188 08 "I don't know"	Overrule	FRE 602, calls for hearsay	
DEF COUNTER	Kandarpa, Krishna 07/19/2018	188:10-188:12	Overrule	fre 602; calls for hearsay	
DEF COUNTER	Kandarpa, Krishna 07/19/2018	191:09-191:12			
DEF COUNTER	Kandarpa, Krishna 07/19/2018	191:24-192:08 ending with "No I don t."			
DEF COUNTER	Kandarpa, Krishna	193:16-194:04 ending with "Yeah "	Sustain	FRE 402, 403	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	201:05-201:10	Overrule	Rule 611(c) Leading question of witness on direct. Rule 701. Testimony is improper opinion testimony by a lay witness.	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	201:12-202:03	Overrule	Rule 611(c) Leading question of witness on direct. Rule 701. Testimony is improper opinion testimony by a lay witness.	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	205:20-207:13			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	208:02-208:24			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	209:03-211:07			
PL AFFIRM	Kandarpa, Krishna 07/19/2018	211:09-212:18	Overrule	Rules 106, 403. Plaintiffs counsel / questioner used improper/incomplete exhibit. (as to 212:19-213 08)	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	219:13-221:13	Sustain	Rule 611(a)(3) questioning is argumentative and subjects witness to harassment. (as to questions and answers at 219:13-14), Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacture to tell im/her. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to 219:16-220:2). Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. (as to 219:16-220:2). Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 221 9-13)	
PL AFFIRM	Kandarpa, Krishna 07/19/2018	221:15-223:13	Overrule as to 223:7- 223:18	Rules 601/60.2 & 612. Lacks foundation, witness does not have personal The Eclipse knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 221:15-222:13 such failur and 223:2-13; doctor is being asked about internal Bard document that he has not warnings. seen before and is outside scope of his role as medical monitor). Rules 401, 402 & matter. 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. (as to 224:2-11)	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledge of the subject matter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	223:15-226:19	Overrule	Rules 601/60.2 & 612. Lacks foundation, witness does not have personal The Eclipse knowledge of subject matter, calls for speculation by the witness. Rule 701. Testimony is improper opinion testimony by a lay witness. (as to 221:15-222:13 such failur and 223:2-13; doctor is being asked about internal Bard document that he has not warnings. seen before and is outside scope of his role as medical monitor). Rules 401, 402 & matter. 403. Irrelevant and Unfairly Prejudicial. Testimony does not address injury or failure mode at issue. (as to 224:2-11)	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective warnings. The testimony of the witness establishes his knowledge of the subject matter.
PL AFFIRM	Kandarpa, Krishna 07/19/2018	226:22-227:03	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal The Eclipse knowledge of subject matter, calls for speculation by the witness. Rule 611 witness. The such failur assumes facts not in evidence.	The Eclipse was nearly identicle in design to the filters being discussed by the witness. The failures of the filter line and Bard's knowledge of and reaction to such failures of all G2 devices is relevant to the design defects and defective armings. The testimony of the witness establishes his knowledge of the subject
PL AFFIRM	Kandarpa, Krishna 07/19/2018	231:03-231:10	Sustain as to 231:8-231:10	231.10 Rule 611(c) Leading question of witness on direct. (as to question at 231:8-10) Used to de	Used to develop testimony and foundation
PL AFFIRM	Kandarpa, Krishna 07/19/2018	232:10-232:14			

DESIGNEE	UEPONEINI	0-22-0-23	KULING	OBJECTION RESPONSES TO OBJECTIONS
	07/27/2016			
PL AFFIRM	Little, William 07/27/2016	10:07-10:12		
DEF COUNTER	Little, William 07/27/2016	10:07-10:09		
DEF COUNTER	Little, William 07/27/2016	10:12		
DEF COUNTER	Little, William 07/27/2016	10:16-10:18		
DEF COUNTER	Little, William 07/27/2016	10:22-11:04		
PL AFFIRM	Little, William 07/27/2016	11:01-11:06		
PL AFFIRM	Little, William 07/27/2016	17:13-18:02 beginning "So you left"		
PL AFFIRM	Little, William 07/27/2016	20:07-20:20		
PL AFFIRM	Little, William 07/27/2016	22:13-22:23		
PL AFFIRM	Little, William 07/27/2016	24:04-24:19		
PL AFFIRM	Little, William 07/27/2016	24:22-24:25		
PL AFFIRM	Little, William 07/27/2016	35:01-35:10		
PL AFFIRM	Little, William 07/27/2016	39:20-40:05		
PL AFFIRM	Little, William 07/27/2016	40:10-40:20 (beginning "And tell")		
PL AFFIRM	Little, William 07/27/2016	41:14-41:22 (beginning "And I")		
PL AFFIRM	Little, William 07/27/2016	42:16-42:25		
PL AFFIRM	Little, William 07/27/2016	43:05-43:19		
PL AFFIRM	Little, William 07/27/2016	50:03-50:07		
DEF COUNTER	Little, William 07/27/2016	55:09-57:25	Overrule	(1) FRE 402, 403: The testimony regarding Bard s obligation in general and/or under FDA requirements to disclose information to physicians should be excluded because it is irrelevant to any matter at issue; further, any nominal probative because it is irrelevant to any matter at issue; further, any nominal probative value of the testimony is outweighed by the dangers of time-wasting and confusion of the issues, because, among other things, failure to warn is not at issue. (2) the witness s opinion about Bard "trying to do the right thing" in its sales efforts is inadmissible character evidence and ought to be excluded under FRE 404(a)
PL AFFIRM	Little, William 07/27/2016	65:05-65:08		
DEF COUNTER	Little, William 07/27/2016	65:08-65:12		
PL AFFIRM	Little, William 07/27/2016	96:14-96:18		
PL AFFIRM	Little, William 07/27/2016	98:04-98:13		
DEF COUNTER	Little, William 07/27/2016	98:13-98:22		
PL AFFIRM	Little, William 07/27/2016	106:12-106:16 beginning "Was there."		
DEF COUNTER	Little, William 07/27/2016	106:18-106:19	Overrule	(1) FRE 402/403: Objection to testimony concerning 510k process for reasons stated in Plaintiffs' motion in limine; (2) FRE 402/403: Objection to including two extended colloquoies between counsel, which are not evidence
DEF COUNTER	Little, William 07/27/2016	107:13-107:24	Overrule	(1) FRE 402/403: Objection to testimony concerning 510k process for reasons stated in Plaintiffs' motion in limine; (2) FRE 402/403: objection to including two extended colloquoies between counsel, which are not evidence
PL AFFIRM	Little, William 07/27/2016	157:22-158:23		

Little 7.27.16

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PLAFFIRM	Little, William 07/27/2016	172:20-173:05	Sustain	& 612. Witness does not have personal knowledge of document hown a document, was not familiar with it and testified that he/she personal knowledge about it or the circumstances.	The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs' Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit.
PL AFFIRM	Little, William 07/27/2016	173:24-174:01	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs' Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit.
PL AFFIRM	Little, William 07/27/2016	174:15-175:02	Overrule	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs' Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit.
PLAFFIRM	Little, William 07/27/2016	175:10-176:19	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; trrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs' Response to be been darrish and in the more length in Plaintiffs' Response to be been darrish Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. RR 401/402/403: Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risks of the G2's predicate filter, the reasonably prudent manufacturer in its testimand design of the Eclipse. Further, whether and to whate extent the filter had a risk of migration is a matter the jury may consider in deciding whether the filter as designed met consumer expectations and warnings.
PL AFFIRM	Little, William 07/27/2016	177:03-177:14 ending "factors, yes."	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; trrelevant and any probative value autweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs' Response to be bechadars' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. RR 401/402/403 Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risks of the G2's predicate filter, the reasonably prudent manufacturer in its testing and design of the Eclipse. Further, whether and to whate extent the filter had a risk of migration is a matter the jury may consider in deciding whether the filter as designed met consumer expectations and warnings.
PL AFFIRM	Little, William 07/27/2016	177:23-178:16	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiff's Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as a nexhibit
PL AFFIRM	Little, William 07/27/2016	179:02-180:02	Sustain as to 179:17- 179:22	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she of does not have personal knowledge about it or the circumstances.	RRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiff's Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is
DEF COUNTER	Little, William 07/27/2016	180:03-181:23 redact "and a death" line 180:19 end at "nenetration"	Overrule	FRE 402/403: Objection to including colloquoies between counsel and discussion with videographer.	
DEF COUNTER	Little, William 07/27/2016	181:25-182:02	Overrule	FRE 402/403: Objection to including colloquoies between counsel and discussion with videographer.	
PL AFFIRM	Little, William 07/27/2016	187:03-187:24			
PL AFFIRM	Little, William 07/27/2016	188:12-188:15			
DEF COUNTER	Little, William 07/27/2016	188:16-188:25	Overrule	FRE 402/403: Objection to including colloquoies between counsel and discussion with videographer.	
PL AFFIRM	Little, William 07/27/2016	189:01-190:11			
ttle 7.27.16 PL	6 PL				167

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Little, William 07/27/2016	191:11-192:25			
DEF COUNTER	Little, William 07/27/2016	193:01-193:10	Overrule	FRE 402/403: Objection to including colloquoies between counsel and discussion with videographer.	
PL AFFIRM	Little, William 07/27/2016	193:24-194:14			
DEF COUNTER	Little, William 07/27/2016	194:15-195:18	Overrule	FRE 402/403: Objection to including colloquoies between counsel and discussion with videographer.	
PL AFFIRM	Little, William 07/27/2016	199:23-200:03 end "Yeah"			
DEF COUNTER	Little, William 07/27/2016	200:03-200:04	Overrule	FRE 402/403: Objection to including colloquoies between counsel and discussion with videographer.	
PL AFFIRM	Little, William 07/27/2016	200:17-200:23			
PL AFFIRM	Little, William 07/27/2016	201:17-202:05			
PL AFFIRM	Little, William 07/27/2016	203:09-204:05			
PL AFFIRM	Little, William 07/27/2016	204:08-204:09 end "veah"			
DEF COUNTER	Little, William 07/27/2016	204:08-204:24			
DEF COUNTER	Little, William 07/27/2016	205:02-205:15			
PL AFFIRM	Little, William 07/27/2016	205:16-209:02			
PL AFFIRM	Little, William 07/27/2016	210:04-210:06			
DEF COUNTER	Little, William 07/27/2016	246:14-246:17			
DEF COUNTER	Little, William 07/27/2016	246:19-247:15			
PL AFFIRM	Little, William 07/27/2016	272:11-272:15 end "right"			
PL AFFIRM	Little, William 07/27/2016	300:08-300:15			
PL AFFIRM	Little, William 07/27/2016	329:07-329:08			
PL AFFIRM	Little, William 07/27/2016	329:11-329:21			
PL AFFIRM	Little, William 07/27/2016	331:03-331:15			
PL AFFIRM	Little, William 07/27/2016	359:01-359:02			
PL AFFIRM	Little, William 07/27/2016	359:06-359:13			
PL AFFIRM	Little, William 07/27/2016	363:04-364:04			
DEF COUNTER	Little, William 07/27/2016	364:05-364:13	Sustain	364:8-11 non-responsive	
PL AFFIRM	Little, William 07/27/2016	364:14-364:18			
DEF COUNTER	Little, William 07/27/2016	364:19-364:25	Overrule	non-responsive after "no"	
PL AFFIRM	Little, William 07/27/2016	374:05-374:06	Overrule	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. see 364 9-11 and 15-19 and 380:22-24	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs' Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testinony involves a document used to refresh recollection, the document is
PL AFFIRM	Little, William 07/27/2016	374:12-374:14	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Paintiffs' Response to be defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Little, William 07/27/2016	374:20-375:20	Sustain	9, 403. Testimony does not involve filter at issue and/or failure is; irrelevant and any probative value outweighed by prejudicial larly with Plantiff's punitive danages claim dismissed. Rules vibriless does not have personal knowledge of document Witness focument, was not familiar with it and testified that he/she does not knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs Response to Defendant Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. FRE 401/402/403: Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risks of the G2's predicate filter, the Recovery lifter, is relevant to, among other things, whether Bard acted as a reasonably prudent manufacturer in its testing and design of the Eclipse.
PL AFFIRM	Little, William 07/27/2016	376:02-376:05 ending "Yeeah."	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge of document Witness have a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiff's Response to be bendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. FRE 401/402/403: Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risk of the G2's predicate filter, the reasonably prudent manufacturer in its testing and design of the Eclipse. Further, whether and to whate extent the lifter had a risk of migration is a matter the jury may consider in deciding whether the filter as designed met consumer
DEF COUNTER	Little, William 07/27/2016	376:05-376:25 subject to objection			
PL AFFIRM	Little, William 07/27/2016	377:05-377:10	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiff's Response to be beendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. FRE 401/402/403: Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risks of the G2's predicate filter, the Rescovery Filter, is relevant to, among other things, whether Bard acted as a reasonably prudent manufacture in its testing and design of the Eclipse. Further, may consider in deciding whether the filter as designed met consumer expectations.
PL AFFIRM	Little, William 07/27/2016	377:14-377:21 beginning "Is that what"	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Planifits' punitive damages claim dismissed. Rules effect, particularly with Planifits' punitive damages claim dismissed. Rules of 615,602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiffs Response to Defendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. FRE 401/402/403: Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risks of the G2's predicate filter, the Recovery filter, is relevant to, among other things, whether Bard acted as a reasonably prudent manufacturer in its testing and design of the Eclipse.
PL AFFIRM	Little, William 07/27/2016	377:25-378:06	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Witess does not have personal knowledge of document Witness shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: The witness has personal knowledge of the subject matter discussed in this otherwise-admissible document, based on his role at Bard. The testimony is proper as discussed at more length in Plaintiff's Response to be bendants' Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh recollection, the document is attached as an exhibit. FRE 401/402/403: Bard's knowledge and intent in redesigning its retrievable filters to create the G2 family (including the filter at issue), including its knowledge of the risks of the G2's predicate filter, the Recovery Filter, is relevant to, among other things, whether Bard acted as a reasonably prudent manufacturer in its testing and design of the Eclipse.

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[392:04-392:10) (1) The witness's testimony regarding the SIR guidelines should be excluded under RE 402 & 403 for the reasons discussed in Palintiffs' Omnibus Motion in Limine to exclude recommendations of professional advocacy organizations. [392:04-392:10) (2) The valide recommendations of professional advocacy organizations. [392:04-392:10) (2) The witness's testimony regarding the SIR guidelines should be excluded under RE 402 & 403 for the reasons discussed in Palintiffs of Decause this witness is not a radiologist or healthcare provider and is not qualified as an expert to offer opinion testimony inter	101, 402, 403. Testimony does not in partissue; Irrelevant and any probating particularly with Plaintiff s punitive 12 & 612. Witness does not have pe own a document, was not familiar versonal knowledge about it or the ctatement by counsel 101, 402, 403. Testimony does not in at issue; Irrelevant and any probating particularly with Plaintiff s punitive 12 & 612. 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Witness does not have personal knowledge about it or the cersonal knowledge about it or the cersonal knowledge about it or the cersonal knowledge about it or the certon and actions. 1. 387:2 is an incomplete answer: 3. and under FRE 402 & 403 for the read under FRE 402 & 403 for the read in Limine to exclude recommenda actions. (2) the testimony should be actions; (2) the testimony should be kness is not a radiologist or healthca to offer opinion testimony interpre	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintfils surplice and supprobative value outweighed by prejudicial backfeed, as 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge do document Witness was stoken the year of the circumstances. No answer designated. Just a statement by counsel and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602, 8 612. Witness obes not familiar with it and testified that he/she does not question. 387:2 is an incomplete answer. 387:3-4 are necessary to complete the answer. 387:2 is an incomplete answer. 387:3-4 are necessary to complete the answer. Motion in Limine to exclude recommendations of professional advocacy organizations. [390:19-393:10] (1) The witness's testimony regarding the SiR guidelines should be excluded under FIE 402 & 403 for the reasons discussed in Plaintiffs' Omnibus Motion in Limine to exclude recommendations of professional advocacy organizations. [392:04-392:10] (1) The witness's testimony regarding the SiR guidelines should be excluded under FIE 402 & 403 for the reasons discussed in Plaintiffs' Omnibus wasting. Euther, the witness's testimony should be excluded under FIE 402 & 403 because it has no probative value and on any normal probative value is outweighed by the danger of undue prejudice, as discussed in Plaintiff's Omnibus Motion in Limine.
effect, par 601/602 8 was showr have perso desingatio				Rules 401, modes at i effect, para 601/602 was show have perss	Rules 401, modes at i effect, para 601/602 8 was show have perso Just a statu modes at i effect, para 601/602 8 was shown have perso answer.	Rules 401, modes at i effect, par 601/602 & was show have persx Just a statu modes at i effect, par 601/602 & was show have persx answer.	Rules 401, modes at i effect, par 601/602 8 was show have persy lust a statu modes at i effect, par 601/602 8 was show have persy question. answer.	Rules 401, modes at i effect, par 601/602 8 was shows have persx Just a statu modes at i effect, par 601/602 8 was shows have persx question answer. (390.19-35 excluded Motanizati ii organizati ii	Rules 401, 40 modes at issueffect, partici 601/602 & 61 was shown a have persona Just a statem Rules 401, 40 modes at issue effect, partici 601/602 & 61 was shown a have persona question. 387 answer. (390:15-391:: excluded und Motion in Lim Organizations	Rules 401, modes at i effect, par 601/602 & was shown have persy Just a statu as stored of the control of the c	Rules 401, modes ati effect, par 601/602 8 was show have perso lust a statu modes ati effect, par 601/602 8 was show have perso question. answer. (390.19-38 excluded to Motion in organizati this witnes expert to organizati this witnes	Rules 401, modes at i effect, para 601/602 8 was shown have perso Just a statu modes at i effect, para 601/602 8 was shown have perso guestion. answer. (390:19-36 excluded t Motion in organizatii this witnete this witnete this witnete	Rules 401, modes ati effect, par 601/602 & was shown have perso Just a stati modes ati effect, par 601/602 & was shown have perso question.: answer. (390:19-35 excluded t Motion in organizatii this witnee expert to c montering wasting. F "intention wasting. F "intention responsive monntering outweighe Motion in
				Sustain	Sustain	Sustain	Sustain	Sustain	Sustain	Sustain	Sustain Sustain Overrule	Sustain	Sustain Sustain Overrule Overrule
		380:03-380:08	380:03-380:08 subject to objection 380:22-380:24 subject to objection	380:03-380:08 subject to objection 380:23-380:24 subject to objection 384:20-384:25	380:03-380:08 subject to objection 380:22-380:24 384:20-384:25 386:20-387:02	380:03-380:08 subject to objection 380:22-380:24 subject to objection 384:20-384:25 386:20-387:02	380:03-380:08 subject to objection subject to objection 384:20-384:25 384:20-384:25 386:20-387:02 386:20-387:04 subject to objection 387:03-387:04	380:03-380:08 subject to objection s80:22-384:25 s84:20-384:25 384:20-387:02 386:20-387:04 subject to objection 387:03-387:04 subject to objection 390:14 390:19-391:11	380:03-380:08 subject to objection 380:22-380:24 subject to objection 384:20-384:25 386:20-387:02 386:20-387:04 387:03-387:04 390:19-391:11	380:03-380:08 subject to objection 380:22-380:24 subject to objection 384:20-384:25 387:03-387:02 386:20-387:02 380:13-387:04 390:14 390:19-391:21 391:12-391:22	380:03-380:08 subject to objection 380:22-380:24 subject to objection 384:20-384:25 384:20-384:25 385:20-387:02 387:03-387:04 390:14 390:19-391:11 390:19-391:10 391:12-391:22 392:01-392:10	380:03-380:08 subject to objection 380:02-380:24 subject to objection 384:20-384:25 384:20-387:02 387:03-387:04 380:14 390:19-391:11 390:19-391:12 391:12-391:22 392:01-392:10 447:01-447:03	380:03-380:08 subject to objection sacrial sacrial subject to objection sacrial sacrial subject to objection 384:20-384:25 387:03-387:04 390:19-391:11 390:19-391:10 391:12-391:22 391:12-391:22 447:01-447:03 447:01-447:03
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IGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
VEFIRM	Little, William	488:10-488:16			
	07/27/2016				

	DEF AFFIRM DEF AFFIRM DEF AFFIRM	Little, William 07/27/2016 Little, William	10:07-10:09			ALST WALLS TO OBJECTIONS
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10.22-11.06 14.14-15.12 14.14-16.12		Little, William 07/27/2016	10:16-10:18			
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1912-2004 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-2114 2021-212 2021-2114 2021-22	DEF COUNTER TO	Little, William	12:12-14:03			
19.22-20.04 20.21-21.14 21.92-20.04 24.92-24.25 Station Substant	DEF COUNTER TO	Little, William 07/27/2016	14:14-15:12			
2302-23124 2302-2309 2404-2425 2404-2425 2509-2605 2509-2605 2509-2605 2509-2605 2509-2605 2509-2605 2510-24219 2611-6919 2611	DEF AFFIRM	Little, William 07/27/2016	19:22-20:04			
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24.04-24.25 Santan Rules 401, 40.2 & 40.3 Irrelevant and Unfairly prejudicial. 42.24.25 Santan Rules 401, 40.2 & 40.3 Irrelevant and Unfairly prejudicial. 55.09-56.05 S7.04-50.13 S9.21-62.13 S9.21-22.13 S9.21-2	DEF COUNTER TO	Little, William	23:02-23:09			
42.26 Sustain Rules 401, 40.2 & 40.3 Irrelevant and Unfairly prejudicial.	PL COUNTER	Little, William 07/27/2016	24:04-24:25			
### 40.22-42.25 Sustain Rules 401,402 & 403 Irrelevant and Unfairly prejudicial. \$5.09-56.05 \$5.09-56.05 \$5.09-56.05 \$5.04-57.25 \$6.71-69:19 \$94.21-95:13 \$94.21-95:13 \$94.21-95:13 \$94.21-95:13 \$94.21-95:13 \$96.21-69:19 \$117.03-119:24 \$117.03-119:40 \$117.03-1	PL COUNTER	Little, William 07/27/2016	42:16	Sustain	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	
\$5.09-56.05 \$7.04-57.25 69.11-69-19 94.21-95-13 94.21-95-13 94.21-95-13 94.21-95-13 96.14-96-18 117.03-118-77 119.14-119-24 146.01-146-14 149.19-204-05 149.19-204-05 204.82-05-14 204.12-245-15 204.92-248-23 300.04-300.19 390.14 390.14 390.14 390.13-222	PL COUNTER	Little, William 07/27/2016	42:22-42:25	Sustain	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	
57.04-57.25 67.13-67.17 69.11-69.19 94.21-95.13 94.21-95.13 94.21-95.13 96.24-96.18 117.03-118.17 119.24 117.03-118.17 119.24 116.01-146.14 Overrule FRE 402/403 146.01-146.14 Overrule FRE 402/403 129.19-204.05 129.19	DEF AFFIRM	Little, William 07/27/2016	55:09-56:05			
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69:11-69:19 94:21-95:13 96:14-69:18 94:21-95:13 96:14-69:18 96:14-69:18 96:14-69:18 96:14-69:18 96:14-69:18 96:14-69:18 96:14-69:18 96:14-69:18 96:14-19:24 96:14-19:24 96:14-19:24 96:14-245:14 96:14-245:15 96:1	PL COUNTER	Little, William 07/27/2016	67:13-67:17			
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146.01-146:14 Overrule FRE 402/403 187.03-189:20 Overrule FRE 402/403 199:19-204:05 Overrule FRE 402/403 204:08-205:15 Example of the control of	DEF COUNTER TO	Little, William	119:14-119:24			
187.03-189:20 199:19-204:05 Overrule 204:08-205:15 FRE 402/403 208:16-209:14 218:21-219:11 244:12-245:15 245:13-246:17 245:19-248:23 300:04-300:19 390:14 390:14 392:01-392:10 392:01-392:10	DEF AFFIRM	Little, William 07/27/2016	146:01-146:14	Overrule	FRE 402/403	Directly relevant to negligent desing claim and "standard of care" alleged by plaintiff
199:19-204:05 Overrule FRE 402/403 204:08-205:15 FRE 402/403 208:16-209:14 218:21-219:11 244:12-245:15 245:18-246:17 245:18-246:17 246:19-248:23 300:04-300:19 390:14 390:19-391:11 392:01-392:10 432:05-432:22 432:05-432:22	DEF AFFIRM	Little, William 07/27/2016	187:03-189:20			
	DEF AFFIRM	Little, William 07/27/2016	199:19-204:05	Overrule	FRE 402/403	Relevant to feasible alterntaive designs.
	DEF AFFIRM	Little, William 07/27/2016	204:08-205:15			
	DEF AFFIRM	Little, William 07/27/2016	208:16-209:14			
	DEF AFFIRM	Little, William 07/27/2016	218:21-219:11			
	DEF AFFIRM	Little, William 07/27/2016	244:12-245:15			
	DEF AFFIRM	Little, William 07/27/2016	245:18-246:17			
	DEF AFFIRM	Little, William 07/27/2016	246:19-248:23			
	PL COUNTER	Little, William 07/27/2016	300:04-300:19			
	DEF AFFIRM	Little, William 07/27/2016	390:14			
	DEF AFFIRM	Little, William 07/27/2016	390:19-391:11			
	DEF AFFIRM	Little, William 07/27/2016	392:01-392:10			
	DEF AFFIRM	Little, William 07/27/2016	432:05-432:22			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER TO COUNTER	Little, William 07/27/2016	436:01-436:20			
DEF AFFIRM	Little, William 07/27/2016	441:05-441:24	Overrule	[441:05-441:24] this witness's opinion that Bard was concerned about "long term T doing the right thing" is inadmissible character evidence under FRE 404(a)(1).	The witness has a significant amount of experience in the medical device industry and is speaking from his personal knowledge.
DEF AFIRM	Little, William 07/27/2016	442:10-442:13	Overrule	(442:10-443:02) The testimony regarding the witness's general observations of actions by Bard employees in response to adverse events is inadmissible under a FRE 404(b)(1) as evidence of "other acts" offered here to prove Bard's/Bard employees' character to prove that Bard and/or its employees acted in conformity therewith; further the witness sopinion that Bard employees were "good peopletrying to do the right thing" is inadmissible as character evidence under peopletrying to do the right thing" is inadmissible as character evidence under	The witness has a significant amount of experience in the medical device industry and is speaking from his personal knowledge.
DEF AFFIRM	Little, William 07/27/2016	442:18-443:02	Overrule	above)	The witness has a significant amount of experience in the medical device industry and is speaking from his personal knowledge.
DEF AFFIRM	Little, William 07/27/2016	463:08-463:24	Sustain	(463.08.463.24) The witness's testimony concerning the "Filter Facts" website should be excluded under FRE 402 & 403 because it has no probative value and/or any nominal probative value is outweighed by the dangers of confusion and timewasting. Eurther, the witness's testimony at 463:21-24, concerning Bard's "intention" in designing the Filter Facts website should be excluded as nonresponsive. Finally the witness is testimony at fines 22-24 regarding the "Fear monitoring websitewe were dealing with" (a reference to lawyer advertising) is outweighed by the danger of undue prejudice, as discussed in Plaintiff's Omnibus Motion in Limine.	The witness has a significant amount of experience in the medical device industry and is speaking from his personal knowledge. If Plaintiff introduces evidence that opens the door to the Filter Facts website and the reasons it was created, Defendants are entitled to present evidence to explain explain.
PL COUNTER	Little, William 07/27/2016	488:10-488:16			
PL COUNTER	Little, William 07/27/2016	488:23-488:25	Overrule	Rule 407 – Subsequent remedial measures are not admissible.	
PL COUNTER	Little, William 07/27/2016	489:01-489:05			
PL COUNTER	Little, William 07/27/2016	489:14-489:23			
DEF COUNTER TO	Little, William 07/27/2016	490:03-490:06			
PL COUNTER	Little, William 07/27/2016	490:12-490:21	Overrule	Rule 407 – Subsequent remedial measures are not admissible.	
PL COUNTER	Little, William 07/27/2016	500:02-500:04	Overrule	Rule 407 – Subsequent remedial measures are not admissible.	
PL COUNTER	Little, William 07/27/2016	500:11-500:14	Overrule	Rule 407 – Subsequent remedial measures are not admissible.	

	ONCITANGIST	ONITIO	OBJECTION	DECENINGES TO OBJECTIONS
			Mr. McDermott's testimony is not releivant to the issues in this case. He left BPV in 2007 before the Plaintiff's filter was manufactured and his testimony relates to the Recovery filter which is irrelevant under Rules 401, 402, and 403. This testimony is Recovery "bad acts" as addressed by the Court in Bard's MIL.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing, warnings and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, tilt, and fracture. He is at risk for fracture and death or serious injury in the future from the fractured strut from his filter that is still embedded in his L3 vertebral body.
McDermott, John 02/05/2014	09:12-09:17			
McDermott, John 02/05/2014	22:24-23:10 beginning with "while you			
McDermott, John	24:02-24:05			
McDermott, John 02/05/2014	24:07			
McDermott, John 02/05/2014	24:09-24:14			
McDermott, John 02/05/2014	27:14-27:18			
McDermott, John 02/05/2014	27:21-27:23			
McDermott, John 02/05/2014	28:10-28:13			
McDermott, John 02/05/2014	65:12-65:17			
McDermott, John 02/05/2014	65:19 ("anybody")			
McDermott, John 02/05/2014	65:21-66:03 (ends at "other")			
McDermott, John 02/05/2014	66:03-66:05 beginning with "did you			
McDermott, John	66:07			
McDermott, John 02/05/2014	66:09-66:10			
McDermott, John 02/05/2014	66:15-66:19	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response to Bard's general objection above.
McDermott, John 02/05/2014	66:21	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	See Plaintiff's response to Bard's general objection above.
McDermott, John 02/05/2014	66:23-67:05	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	See Plaintiff's response to Bard's general objection above.
McDermott, John 02/05/2014	67:06-67:07		THE PARTY OF THE P	
McDermott, John 02/05/2014	67:09			
McDermott, John 02/05/2014	69:14-69:15	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighted by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Also, inclomplete answer. The answer pontitives on lines 15, 15, 19 and 71-27.	See Plaintiff's response to Bard's general objection above.
McDermott, John 02/05/2014	69:15-69:16 ("They're")	Overrule	Non-responsive. Objection located at 69:23.	
McDermott, John 02/05/2014	69:19	Overrule	Non-responsive. Objection located at 69:23.	
McDermott 2 503/45/2014	69:21-69:22	Overrule	Non-responsive. Objection located at 69:23.	711

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Redact the word "Death" professive with considerative value or professive with regardinal effect, particularly with Flaintiff's purchase where word "Death" purchase where were displayed and sometime of the state o	PL AFFIRM	02/05/2014 McDermott, John 02/05/2014	subject to objection 78:22-79:04 beginning with "But did	Overrule	a	See Plaintiff's response to Bard's general objection above.
hop SIGNS SEND A CONTRING MINE AND A CONTRICT OF THE ACCOUNT OF TH			you" Redact the word "Death" from line 24		probative value outweigned by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	
B \$109-\$4.03 B \$104-\$4.09 B \$104-\$4.00 B	PL AFFIRM	McDermott, John 02/05/2014	83:05-83:06 beginning with "Exhibit 2"	Overrule	a	See Plaintiff's response to Bard's general objection above.
Subsect to obtain the state of	PL AFFIRM	McDermott, John 02/05/2014	83:09-84:03	Overrule	a	See Plaintiff's response to Bard's general objection above.
Sign 14.454.55 District to Oberrule Contributed to the document's inclement to the issued at his Who excite the decidence of the document's inclement to the issued at his Who excite the document's inclement to the issued at his Who excite at his Medical of the document's inclement to the issued at his Medical and the document's inclement to the issued at his Medical and the document's inclement to the issued at his Medical and the document's inclement to the issued at his Medical and the document's inclement and projudical evidence regarding Band's conduct related to the Recovery filer: Interiesant and may projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence and any projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and projudical evidence regarding Band's conduct related to the Recovery filer. Interiesant and any probative value convegited by prejudical effect, particularly with Plaintiff's punitive damages claim dismissed. Novertile Related to the Recovery filer. Interiesant and any probative value convegited by prejudical effect, particularly with Plaintiff's punitive damages claim dismissed. Novertile Related to the Recovery filer. Interiesant and any probative value convegited by prejudi	DEF COUNTER	McDermott, John	84:04-84:09	Overrule	Plaintiff objects the rules 401, 402 and 403. Who exactly reviewed or contributed to the document for irrelevant to the issues at hand	
Part 1-8423 Coerrate (Plantiff Objects under rules 401, 402 and 403. Who exactly reviewed or contributed to the Account is intellectual to the Seases and the Dessass and Part 1-8423 Contributed to the Account is intellectual to the Seases and Part 1-8423 Contributed to the Account is intellectual to the Seases and Part 1-8423 Contributed to the Seases and Sea	DEF COUNTER	McDermott, John	84:14-84:16	Overrule	Plaintiff objects under rules 40, 405 and 403. Who exactly reviewed or	
hin 673-67-05 Programe Rules 401, 402, 403 – Testimony relates to trelevant and prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding and storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding Bard storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding Bard storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding Bard storochart related to the Recovery Filer. Irrelevant and any probative value outwelpted by prejudicial evidence regarding	DEF COUNTER	McDermott, John	84:21-84:23	Overrule	Contributed to the cocument is in elevant to the issues at tains. Plaintfoliotist under the story AQ2 and AQ3, Who exactly reviewed or contributed to the chromonet story.	
beginning with "this is preservate regarding Bands so conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff so punitive damages claim dismissed. In 91:14-91:22 Dwerrule Rates do. 4.02, 4.03 & 4.03 (sustained by Judge Campbell). Rules 401, 4.02, 4.03 – Testimony relates to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. In 93:13-92:18 Overrule Rules 401, 4.02 & 4.03 (sustained by Judge Campbell). Rules 401, 4.02, 4.03 – Testimony relates to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. In 193:13-92:18 Overrule Rules 401, 4.02 & 4.03 (sustained by Judge Campbell). Rules 401, 4.02, 4.03 – Testimony relates to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. In 193:13-94:13 Overrule Rules 401, 4.02 & 4.03 (sustained by Judge Campbell). Rules 401, 4.02, 4.03 – Testimony relates to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. In 193:10-95:13 Overrule Rules 401, 4.02 & 4.03 (sustained by Judge Campbell). Rules 401, 4.02, 4.03 – Testimony relates to firelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. In 193:10-95:03 Overrule Rules 401, 4.02 & 4.03 (sustained by Judge Campbell). Rules 401, 4.02, 4.03 – Testimony relates to firelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regard	PL AFFIRM	McDermott, John 02/05/2014	87:03-87:05	Overrule	a.	See Plaintiff's response to Bard's general objection above.
Pulse 401, 402.22 Rules 401, 402.8 & 403 (sustained by ludge Campbell). Rules 401, 402, 403— Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and rejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard s conduct Rough August Campbell). Rules 401, 402.403— Rules 401, 402.8 403 (sustained by Judge Campbell). Rules 401, 402.403— Rules 401, 402.8 403 (sustained by Judge Campbell). Rules 401, 402.8 403 (sustained by Ju	PL AFFIRM	McDermott, John 02/05/2014	91:01-91:08 beginning with "this is page"	Overrule	nce s	See Plaintiff's response to Bard's general objection above.
Rules 401, 402 & 403 fustained by Judge Campbell). Rules 401, 402, 403 — Testimony relates to increasant and prejudicial evidence regarding Bard s conduct related to the Recovery Filer. Irrelevant and any probative value outwelighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403 fustained by Judge Campbell). Rules 401, 402, 403 — Testimony relates to irrelevant and any probative value outwelighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403 fustained by Judge Campbell). Rules 401, 402, 403 — Testimony relates to irrelevant and any probative value outwelighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403 fustained by Judge Campbell). Rules 401, 402, 403 — Testimony relates to irrelevant and any probative value outwelighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. No" Rules 401, 402 & 403 fustained by Judge Campbell). Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filer. Irrelevant and propative value outwelighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. No" Rules 401, 402, 403 and 403 uugge Campbell). Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filer. Irrelevant and any probative value outwelghed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, and 403 — testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Beginning with "Isn't Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402 & 403 (sustained by Judge Campbell).	PL AFFIRM	McDermott, John 02/05/2014	91:14-91:22	Overrule	#:	See Plaintiff's response to Bard's general objection above.
Paire 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Nomerule Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. No" Nowerule Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Passain Rules 401, 402 and 403 - testimony concerns what physician would have wanted beginning with "isn't related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Passain Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402 & 403 - testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Passain Rules 401, 402 & 403 (sustained by Judge Campbell).	PL AFFIRM	McDermott, John 02/05/2014	92:03-92:18	Overrule		See Plaintiff's response to Bard's general objection above.
hu beginning with "So we're related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff s punitive damages claim dismissed. No" Doverrule Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and prejudicial evidence regarding Bard's conduct Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 401, 402, and 403 (sustained by Judge Campbell). Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant to the issues at hand. Bassain Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, and 403 – testimony concerns what physician would have wanted beginning with "isn't Rules 401, 402 and 403. Who exactly reviewed or contributed to the document is irrelevant to the issues at hand. Bassain Rules 401, 402 & 403 (sustained by Judge Campbell). Hu 101:10-101:14 Sustain Rules 401, 402 & 403 (sustained by Judge Campbell).	PL AFFIRM	McDermott, John 02/05/2014	93:18	Overrule	# .	See Plaintiff's response to Bard's general objection above.
hun beginning with "It's Bates Poverrule Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, 403— Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovey Filer. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, and 403—testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 401, 402, and 403—testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 401, 402, and 403—testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 401, 402, and 403—testimony concerns what physician would have wanted to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Plaintiff objects under rules 401, 402 and 403. Who exactly reviewed or confluinted to the document is irrelevant to the issues at hand. Rules 401, 402, and 403. who exactly reviewed or confluinted to the document is irrelevant to the issues at hand. Rules 401, 402, and 403 - testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Half Half Rules 401, 402 and 403 - testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Half Rules 401, 402 and 403 (sustained by Judge Campbell).	PL AFFIRM	McDermott, John 02/05/2014	93:25-94:01 beginning with "So we're on"	Overrule		See Plaintiff's response to Bard's general objection above.
hn 94:20-95:03 Overrule hn 95:10-95:17 Overrule hn 98:06-98:10 Sustain hn 98:14-98:20 Sustain hn 101:00-101:14 Sustain	PL AFFIRM	McDermott, John 02/05/2014	94:17-94:18 beginning with "It's Bates No"	Overrule	# 5	See Plaintiff's response to Bard's general objection above.
hn 95:10-95:17 Overrule hn 98:06-98:10 Sustain hn 98:14-98:20 Sustain heginning with "I'sn't that" hn 101:10-101:14 Sustain	PL AFFIRM	McDermott, John 02/05/2014	94:20-95:03	Overrule	Rules 401, 402 & 403 (sustained by Judge Campbell). Rules 401, 402, 403— Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	
hn 98:06-98:10 Sustain hn 98:14-98:20 Sustain beginning with "Isn't that" hn 101:10-101:14 Sustain	DEF COUNTER	McDermott, John 02/05/2014	95:10-95:17	Overrule	Plaintiff objects under rules 401, 402 and 403. Who exactly reviewed or contributed to the document is irrelevant to the issues at hand.	
hn 98:14-98:20 Sustain beginning with "Isn't that" hn 101:10-101:14 Sustain	PL AFFIRM	McDermott, John 02/05/2014	98:06-98:10	Sustain	Rules 401, 402 & 403. (sustained by Judge Campbell).	
hn 101:10-101:14 Sustain	PL AFFIRM	McDermott, John 02/05/2014	98:14-98:20 beginning with "Isn't that"	Sustain	Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	
02/05/2014	PL AFFIRM	McDermott, John 02/05/2014	101:10-101:14	Sustain	Rules 401, 402 & 403. (sustained by Judge Campbell).	

DECLORICE	FINANCIAC	SNOFANOISE	OWILLIA	NOITO	PECDONICEC TO OBJECTIONS
DEF COUNTER	McDermott, John	105:16-105:22	ROLING		SPONSES TO OBJECTIONS
PL AFFIRM	02/05/2014 McDermott. John	(end at "but") 105:22-106:01	Overrule	Rules 401. 402. 403 – Testimony relates to irrelevant and preiudicial evidence	See Plaintiff's response to Bard's general objection above.
	02/05/2014	beginning with "this was" ending with "Yeah."			
DEF COUNTER	McDermott, John 02/05/2014	106:01-106:07 ("The")			
DEF COUNTER	McDermott, John 02/05/2014	107:10-107:14			
PL AFFIRM	McDermott, John 02/05/2014	107:15-108:14	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probabative value outweighed by prejudicial effect, particularly with Plaintiff s bunnitive damages claim dismissed	See Plaintiff's response to Bard's general objection above.
PL AFFIRM	McDermott, John 02/05/2014	108:23-109:05 beginning with "is there any"	Overrule	elates to irrelevant and prejudicial evidence othe Recovery Filter. Irrelevant and any ejudicial effect, particularly with Plaintiff s	See Plaintiff's response to Bard's general objection above.
PL AFFIRM	McDermott, John 02/05/2014	111:16-111:20	Overrule		See Plaintiff's response to Bard's general objection above.
PL AFFIRM	McDermott, John 02/05/2014	111:23	Overrule	Rules 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence fregarding Bard s conduct related to the Recovery Filter. Irrelevant and any probabite value outweighed by prejudicial effect, particularly with Plaintiff s unintive damages rapim riemissed	See Plaintiff's response to Bard's general objection above.
PL AFFIRM	McDermott, John 02/05/2014	112:01-112:02	Overrule	elates to irrelevant and prejudicial evidence to the Recovery Filter. Irrelevant and any siydicial effect, particularly with Plaintiff so This objection was sustained by Judge This objection was sustained by Judge	See Plaintiff's response to Bard's general objection above.
DEF COUNTER	McDermott, John 02/05/2014	112:05-112:08			
PL AFFIRM	McDermott, John 02/05/2014	112:12-112:18 Redact Lines 14 to 15 from "I showed" to "second death"	Overrule	This testimony relates to Recovery cephalad migration. Rules 401, 402, 403— Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This objection was sustained by Judge Campbell MDL Dkt. 10438, page 10.	See Plaintiff's response to Bard's general objection above.
PL AFFIRM	McDermott, John 02/05/2014	112:20-112:22	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s puritive damages claim dismissed. This objection was sustained by Judge	See Plaintiff's response to Bard's general objection above.
DEF COUNTER	McDermott, John 02/05/2014	127:10-127:15	Overrule	vague	
DEF COUNTER	McDermott, John 02/05/2014	127:17	Overrule	vague	
DEF COUNTER	McDermott, John 02/05/2014	128:02-128:07	Overrule	vague	
DEF COUNTER	McDermott, John 02/05/2014	137:16-137:20			
DEF COUNTER	McDermott, John 02/05/2014	137:22-137:23	Sustain	non-responsive.	
PL AFFIRM	McDermott, John 02/05/2014	190:11-190:16 beginning with "I marked"	Sustain	Rules 60.1 & 60.2. The witness testified he was not involved in the creation of this see document and has no personal knowledge about it. Rules 40.1, 40.2, 40.3. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with blainfift sunitive damages chain dismissed.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrablished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
DEF COUNTER	McDermott, John 02/05/2014	190:17-190:23 subject to objection	Overrule		
PL AFFIRM	McDermott, John 02/05/2014	192:12-192:14	Sustain	Rules 60.1 & 60.2. The witness testified he was not involved in the creation of this see document and has no personal knowledge about it. Rules 40.1, 40.2, 40.3. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and and any probative value outwelghed by prejudicial effect, particularly with blainfift sunitive damages claim dismissed	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrabilished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
DEF COUNTER	McDermott, John 02/05/2014	192:17-193:05 subject to objection	Overrule	leading,answer non-responsive; calls for speculation	

McDermott 2.5.14

DECIGNEE	DEDONENT	DESIGNATIONS	SINITING	ad Noit Callon	PESDONICES TO OBJECTIONS
PL AFFIRM	McDermott, John 02/05/2014	194:17-195:03	Sustain	2 & 612. Document is after witness left the company. He has no wledge. (see 284:5) (Objection sustained by Judge Campbell). Rules – Testimony does not involve filter at issue and/or failure mode at nt and any probative value outweighed by prejudicial effect, the Plaintiff's punitive damages claim dismissed.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrablished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
DEF COUNTER	McDermott, John 02/05/2014	195:10-195:13 subject to objection	Overrule	non-responsive	
DEF COUNTER	McDermott, John 02/05/2014	195:23-196:11 subject to objection			
PL AFFIRM	McDermott, John 02/05/2014	196:12-197:07	Sustain	Rules 601, 602 & 612. Document is after witness left the company. He has no personal knowledge. (see 284:5) (Objection sustained by Judge Campbell). Rules of 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrablished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
PL AFFIRM	McDermott, John 02/05/2014	199:14-199:23	Sustain	Rules 601, 602 & 612. Document is after witness left the company. He has no personal knowledge. (see 199:24-25) (Objection sustained by Judge Campbell). Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	
DEF COUNTER	McDermott, John 02/05/2014	199:24-199:25 subject to objection			
PL AFFIRM	McDermott, John 02/05/2014	204:15	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure See mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	204:17-204:18	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure Semode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	204:21-205:15	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at Issue and/or failure Semode at Issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	207:16-207:18	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at Issue and/or failure Semode at Issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	228:17-228:23	Overrule	Rules 410, 402 and 403-implies Bard has a duty to patients when the law in Oregon is that the duty to warn is to the physician.	No such implication.
DEF COUNTER	McDermott, John 02/05/2014	229 01			
PL AFFIRM	McDermott, John 02/05/2014	230 08	Overrule	Rules 410, 402 and 403-implies Bard has a duty to patients when the law in Oregon is that the duty to warn is to the physician.	No such implication.
PL AFFIRM	McDermott, John 02/05/2014	284:02-284:15 beginning with "Exhibit 15."	Sustain	nowledge of the document that counsel is reading the	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrabilished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
PL AFFIRM	McDermott, John 02/05/2014	285:01-285:10 beginning with "And if you"	Sustain	Rules 601, 602 and 612. Witness has no personal knowledge of the document that see was written 4 years after he left the company, and counsel is reading the document into evidence.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrabilished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
PL AFFIRM	McDermott, John 02/05/2014	285:12	Sustain	Rules 601, 602 and 612. Witness has no personal knowledge of the document that see was written 4 years after he left the company, and counsel is reading the of document into evidence.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrabilished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
PL AFFIRM	McDermott, John 02/05/2014	285:14-285:21	Sustain	Rules 601, 602 and 612. Witness has no personal knowledge of the document that see was written 4 years after he left the company, and counsel is reading the document into evidence.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrabilished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
PL AFFIRM	McDermott, John 02/05/2014	285:24-285:25	Sustain	Rules 601, 602 and 612. Witness has no personal knowledge of the document that see was written 4 years after he left the company, and counsel is reading the document into evidence.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrabilished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
PL AFFIRM	McDermott, John 02/05/2014	286:02-286:04	Sustain	Rules 601, 602 and 612. Witness has no personal knowledge of the document that see was written 4 years after he left the company, and counsel is reading the document into evidence.	see Plaintiff's response to Bard's general objection above. Further, the testimony of the witness esrablished his knowledge of the subject matter and he is also charged with such knowledge by virtue of his position at Bard.
McDermott 2.5.14	2.5.14				177

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPO	RESPONSES TO OBJECTIONS
PL AFFIRM	McDermott, John 02/05/2014	288:13-289:03			
PL AFFIRM	McDermott, John 02/05/2014	289:05-289:07			
PL AFFIRM	McDermott, John 02/05/2014	296:17-296:22			
PL AFFIRM	McDermott, John 02/05/2014	296:24			
PL AFFIRM	McDermott, John 02/05/2014	297:01-297:24 beginning with "Now,			
PL AFFIRM	McDermott, John 02/05/2014	303:13-303:23 beginning with "in some"	Overrule	This relates soley to the Recovery filter and actions taken about that filter. Rules See Plain 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	307:01-307:15	Overrule	This relates soley to the Recovery filter and actions taken about that filter. Rules See Plain 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	307:19-307:20	Overrule	This relates soley to the Recovery filter and actions taken about that filter. Rules See Plain 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	307:22-307:23	Overrule	This relates soley to the Recovery filter and actions taken about that filter. Rules See Plain 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	308:04-308:08	Overrule	This relates soley to the Recovery filter and actions taken about that filter. Rules See Plain 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	308:10	Overrule	This relates soley to the Recovery filter and actions taken about that filter. Rules See Plain 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	311:12-312:08	Overrule	This exhibit being discussed violates the Court's ruling on Recovery migration See Plain deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	317:15-317:21	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure See Plain mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	See Plaintiff's response above to Bard's general FRE 402 and 403 objections.
PL AFFIRM	McDermott, John 02/05/2014	320:21-320:24 beginning with "The comparison"			
PL AFFIRM	McDermott, John 02/05/2014	321 01			
PL AFFIRM	McDermott, John 02/05/2014	349:17-349:21			
PL AFFIRM	McDermott, John 02/05/2014	349:25			
PL AFFIRM	McDermott, John 02/05/2014	350:02-350:03			
PL AFFIRM	McDermott, John 02/05/2014	350 06			

McDermott 2.5.14

Modra 6.6.14

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Modra, Chad 06/06/2014	85:06-85:17 (beginning "so this document)	Overrule	Rules 401, 402. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	85:6-9 goes to foundation. Bard chose to market the Eclipse filter using the 510(k) crocess which relied upon the Recovery filter as the predicate. All 02 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filters complications, testing and design is relevant and is not outweighed by any prejudicial effect. Lugge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Modra, Chad 06/06/2014	87:05-87:07	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	
PL AFFIRM	Modra, Chad 06/06/2014	87:10-87:15	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	
PL AFFIRM	Modra, Chad 06/06/2014	87:19-87:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predizer. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tift, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard is design and warning failures.
PL AFFIRM	Modra, Chad 06/06/2014	88:24-89:02	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	foundation
PL AFFIRM	Modra, Chad 06/06/2014	89:14-89:17	Sustain	Rules 401, 402. 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the	foundation
PL AFFIRM	Modra, Chad 06/06/2014	90:06-90:08 (beginning ("the Eclipse)	Sustain	Rules 401, 402. 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rule 407. Subsequent addil measures are not admissible. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse tasce their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). The failure modes are relevant to the assessment of the defects in the design of the filter modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.

Modra 6.6.14

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99,20-91.03 Sustain Relies 401,402, 403 Trelienmy does not involve life at 18 sus and for failure modes at suse, trelienant and any probative value notweighed by profited and defect particularly with Plaintiff's puritive damages claim clientscelt. Audie 60,1056 & 612 Lard's transform, whites so does not have personal knowledge of suspices matter, calls for speculation by the witness. Counted is reading from the document. Plaint 401,402, 403. Testimony does not involve life at issue and for failure modes at issue, trelienant and any probative value anxiety, alone personal knowledge of suspices at issue, trelienant and any probative value anxiety, alone personal knowledge of subject matter, calls for speculation by the witness. Counted is reading from the document. Relies 401,402, 403. Testimony does not involve life at issue and for failure modes at issue, trelienant and any probative value anxiety, alone general and any probative value anxiety, alone for subject matter, calls for speculation by the witness. Counted is reading from the document. Relies 401,402, 403. Testimony does not involve life at issue and for failure and any probative value anxiety, alone personal knowledge of subject matter, calls for speculation by the witness. Counted is reading from the document. Relies 401,402, 403. Testimony does not involve life at issue and for failure and any probative value anxiety properties of subject matter, calls for speculation by the witness. Counted is reading from the document. Relies 401,402, 403. Testimony does not involve life at issue and for failure and any probative value and any probative value and properties and for failure and any probative value should be reading from the document. Relies 401,402, 403. Testimony does not involve life at issue and for failure and any probative value and probative value is reading from the document is reading from the document.	06/06/:	/2014	90:10-90:14	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect, Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard is design and warning failures.
91.05-91.06 Sustain Mules 401, 402, 403. Testimony does not involve filter at issue and/or failure and and an probabat vealue converginged by prejudical effect, particularly with Plainfif spunitive damages claim dismissed. Rules 601/602 & 612. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with plainfifs punitive damages claim diamassed. Rules 601/602 & 612. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document. 91.11-91:18 Sustain Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602 & 612. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Modra, 06/06/:	/2014	90:20-91:03	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entir filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard's design and warning failures.
P1:08-91:09 Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's puntived danages claim dismissed. Rules 601/602 2. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document. 91:11-91:18 Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive danages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Aodra, 06/06/.	/2014	91:05-91:06	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	85:6-9 goes to foundation. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the concept of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, titl, and embedment. His filter is still implanted and he is a risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
Pal.1-91:18 Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 60/40.56. 56.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Modra, 06/06/:	/2014	91:08-91:09	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outvetighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
	Modra, 06/06/.	/2014	91:11-91:18 Ending at "market"	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plainiff's punitive damages claim dismissed. Rules 601/60.2 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Coder No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Modra, Chad 06/06/2014	91:23-91:24	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Counsel is reading from the document.	Bard chose to market the Eclipse filter using the 510(R) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Petersron has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Modra, Chad 06/06/2014	93:17-93:18 (beginning "Bard was aware")	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602, 8.612. Lacks foundation, witness does not have personal knowledge of buject matter, calls for speculation by the witness. Counsel is reading from the	
PL AFFIRM	Modra, Chad 06/06/2014	93:21-94:05	Overrule	Rules 401, 402. 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(R) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Ludge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still immignated and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Modra, Chad 06/06/2014	94:07-94:09	Overrule	Rules 401, 402. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweigned by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	85:6-9 goes to foundation. Bard chose to market the Eclipse filter using the 510(k) cocess which relied upon the Recovery filter as the predicate. All Q2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudical effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
PL AFFIRM	Modra, Chad 06/06/2014	100:06-100:15	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	
PL AFFIRM	Modra, Chad 06/06/2014	100.23-101.02 (beginning "And this")	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 122 though does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. (MDL Order No. 10819). The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, titl, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.

Modra 6.6.14

DESIGNATIONS	RULING OBJECTION	T	RESPONSES TO OBJECTIONS
	Sustain Rules 601/602 & Witness was show the service of the servic	Rules 601/602 & 612. Witness does not have personal knowledge of document witness was shown a document, was ont familiar with tand testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 403, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	85:69 goes to foundation. Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819.] The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
	Sustain Rules 601/602 & Witness was show does not have pe 403. Testimony d Irrelevant and an with Plaintiff's pu	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	
	Sustain Rules 601/602 & Withess was show does not have per 403. Testimony d Irrelevant and an with Plaintiff s pu	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 403, 403. Testimony does not involve filter at issue and/or failure modes at issue inrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the \$10(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell angred with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard is design and warning failures.
	Sustain Rules 601/602 & Withess was show does not have per 403. Testimony direlevant and an with Plaintiff's pu	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 402, 403, edd. Testinony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All C2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard, filtor Lorder No. 10.8191. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.
	Sustain Rules 601/602 & Witness was show does not have pe 403. Testimony d Irrelevant and an with Plaintiff s pu	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse trace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter s complications, testing and design is relevant and is not outweighed by any prejudicial effect, Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred, however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and the is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures.

Modra 6.6.14

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Modra, Chad 06/06/2014	103:08-103:15	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, 402, 303. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Bard chose to market the Eclipse filter using the 510(k) process which relied upon the Recovery filter as the predicate. All G2 filter platform filters, including the Eclipse tace their design history to the Recovery filter and the defects in the Eclipse design only can be understood only in the context of the entire filter-line development. Testimony regarding the Recovery filter somplications, testing and design is relevant and is not outweighed by any prejudicial effect. Judge Campbell agreed with this position in Jones v. Bard. [MDL Order No. 10819]. The failure modes are relevant to the assessment of the defects in the design of the filter whether a particular failure mode has occurred; however, Mr. Peterson has experienced perforation, migration, fracture, tilt, and embedment. His filter is still implanted and he is at risk for fracture in the future. This testimony goes directly to the issues of Bard s design and warning failures. The testimony of the witness establishes his knowledge of the subject matter.
PL AFFIRM	Modra, Chad 06/06/2014	104:03-104:08			
PL AFFIRM	Modra, Chad 06/06/2014	107:17-107:18	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. (see 107:18-20). Also, incomplete question and answer 107:18-20 are necessary)	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics; see further, Plaintiff's Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
DEF COUNTER	Modra, Chad 06/06/2014	107:17-107:20			
PL AFFIRM	Modra, Chad 06/06/2014	107:23-108:11	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics, see further, Plaintify Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
PL AFFIRM	Modra, Chad 06/06/2014	108:14-109:10	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics, see further, Plaintiffs Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
PL AFFIRM	Modra, Chad 06/06/2014	109:13-109:21	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics; see further, Plaintiff's Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
PL AFFIRM	Modra, Chad 06/06/2014	110:10-110:20	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics; see further, Plaintiff's Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
PL AFFIRM	Modra, Chad 06/06/2014	110:22-110:23	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances.	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics, see further, Plaintiffs Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
DEF COUNTER	Modra, Chad	110:25-111:04			
DEF COUNTER	Modra, Chad 06/06/2014	111:07-111:11 subject to objection			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Modra, Chad 06/06/2014	112:12-112:19 (Start at 112:12 with "and so")	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document and defease when Bards' Witness was shown a document, was not familiar with it and testified that he/she filters were developed and went on and off the market and is testifying here as a does not have personal knowledge about it or the circumstances. Also incomplete corporate representative of Bard on these topics; see further, Plaintiff's Response to be answer. 112:6-10 is the full answer that the full answer are concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.	FRE 601/602/612: Witness has personal knowledge of the dates when Bards' filters were developed and went on and off the market and is testifying here as a corporate representative of Bard on these topics; see further, Plaintiff's Response to Defendant's Motion in Limine concerning personal knowledge. To the extent the testimony involves a document used to refresh the witness's recollection, the document is available to Bard as a deposition exhibit.
PL AFFIRM	Modra, Chad 06/06/2014	112:21-113:05	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 401, 402, representative. To the extent testimony was refreshed, the relevant documents were attached as deposition exhibits and flus are available to Bard. FRE irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	FRE 601/602/612: question is about a matter within the witness's personal knowledge and one for which he is offered to testify as Bard's corporate representative. To the extent testimony was refreshed, the relevant documents were attached as deposition exhibits and thus are available to Bard. FRE 401/402/403: Testimony is relevant to establishing Bard's internal knowledge and Bard's admissions in internal corporate documents.
PL AFFIRM	Modra, Chad 06/06/2014	113:09-113:13 (beginning "And so)	Sustain	Rules 601/602 & 612. Witness does not have personal knowledge of document and the strain of the stra	FRE 601/602/612: question is about a matter within the witness's personal knowledge and one for which he is offered to testify as Bard's corporate representative. To the extent testimony was refreshed, the relevant documents were attached as deposition exhibits and thus are available to Bard. FRE 401/402/403: Testimony is relevant to establishing Bard's internal knowledge and Bard's admissions in internal corporate documents.
DEF COUNTER	Modra, Chad 06/06/2014	119:23-120:10	Overrule	fre 402, 403 - reference to SIR guidelines is irrelevant in this context	
DEF COUNTER	Modra, Chad 06/06/2014	120:12-120:13	Overrule	FRE 402, 403 - reference to SIR guidelines is irrelevant in this context	

RESPONSES TO OBJECTIONS																																
RULING OBJECTION	Bard refers to the parties stipulation in Dkt 121, Para. 7. Plaintiff agreed to limit the evidence relating to the Warning Letter to Topic: 3 of the letter and not to present this testimony until the parties address it with the Court outside the presence of the Juv. The warning letter postdates the implant of the filter in this case and the injuries alleged to have been caused by the Eclipse filter. It is not relevant to Plaintiff's negligence claims.																															
DESIGNATIONS		10:25-11:02	11:09-11:16	12:01-12:12	30:06-30:11	30:18-31:04	36:21-37:25	77:25-78:22	82:15-82:20	86:07-86:25	87:04-87:22	88:18-91:19	92:18-92:20	92:22-92:24	93:01-93:04	97:13-97:21	97:23-98:11	98:13-98:15	98:17-98:19	90:03-96:09	100:02-100:13	102:23-103:17	103:19	103:21-104:21	104:23-105:17	105:19-105:20	105:22-109:07	109:09-109:10	110:11-110:18	110:23-111:11	111:14-112:16	113:02-113:10
DEPONENT		Modra, Chad	Modra, Chad 12/15/2015	Modra, Chad 12/15/2015	Modra, Chad	Modra, Chad 12/15/2015	Modra, Chad																									
DESIGNEE	DEF BLANKET OBJECTION	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM	PL AFFIRM

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Modra, Chad 12/15/2015	116:04-117:17			
PL AFFIRM	Modra, Chad 12/15/2015	119:05-121:08			
PL AFFIRM	Modra, Chad 12/15/2015	121:11-122:10 beginning with "and then "			
PL AFFIRM	Modra, Chad 12/15/2015	123:17-125:09			
PL AFFIRM	Modra, Chad 12/15/2015	125:17-125:25			
PL AFFIRM	Modra, Chad 12/15/2015	126:08-127:06			
PL AFFIRM	Modra, Chad 12/15/2015	127:15-127:18			
PL AFFIRM	Modra, Chad 12/15/2015	128:01-128:16			
PL AFFIRM	Modra, Chad 12/15/2015	129:03-130:02			
PL AFFIRM	Modra, Chad 12/15/2015	130:11-131:07			
PL AFFIRM	Modra, Chad 12/15/2015	144:07-144:20			
PL AFFIRM	Modra, Chad 12/15/2015	149:04-150:11			
PL AFFIRM	Modra, Chad 12/15/2015	151:08-151:22			
PL AFFIRM	Modra, Chad 12/15/2015	152:08-152:16			
PL AFFIRM	Modra, Chad 12/15/2015	153:23-154:06			
PL AFFIRM	Modra, Chad 12/15/2015	156:13-157:04			
PL AFFIRM	Modra, Chad 12/15/2015	158:14-158:16			
PL AFFIRM	Modra, Chad 12/15/2015	163:09-164:02			
PL AFFIRM	Modra, Chad 12/15/2015	164:05-164:10			
PL AFFIRM	Modra, Chad 12/15/2015	164:12			
PL AFFIRM	Modra, Chad 12/15/2015	176:20-178:09			
PL AFFIRM	Modra, Chad 12/15/2015	178:11-178:13			
PL AFFIRM	Modra, Chad 12/15/2015	178:15-178:19			
PL AFFIRM	Modra, Chad 12/15/2015	179:19-180:04			
PL AFFIRM	Modra, Chad 12/15/2015	181:03-182:17			
PL AFFIRM	Modra, Chad 12/15/2015	184:08-184:18			
PL AFFIRM	Modra, Chad 12/15/2015	185:01-185:12			
PL AFFIRM	Modra, Chad 12/15/2015	192:15-193:23			
PL AFFIRM	Modra, Chad 12/15/2015	193:25			
PL AFFIRM	Modra, Chad 12/15/2015	194 02			
PL AFFIRM	Modra, Chad 12/15/2015	194:04-194:12			
PL AFFIRM	Modra, Chad 12/15/2015	194:14			
PL AFFIRM	Modra, Chad 12/15/2015	194:16-194:18			
PL AFFIRM	Modra, Chad 12/15/2015	194:20-194:21			
PLAFFIRM Odra 12.15	Modra 12 15 1 92/15/2015	195:03-195:05			000
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Modra, Chad	PL AFFIRM	12/15/2015	07:061-01:061		
Modra, Chad Modra, Chad Modra, Chad 12/15/2015 Modra, Chad Modra,		Modra, Chad	195:25-196:02		
Modra, Chad 12/15/2015 Modra, Chad 12/15/20	PL AFFIRM	Modra, Chad 12/15/2015	196:04-196:14		
Modra, Chad 12/15/2015 Modra, Chad 12/15/20	PL AFFIRM	Modra, Chad 12/15/2015	197:05-197:06		
Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad 12/15/2015	197 08		
Modra, Chad 12/15/2015 Modra, Chad 12/15/20	PL AFFIRM	Modra, Chad 12/15/2015	197:21-197:25		
Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad 12/15/2015	198 02		
Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad 12/15/2015	198:15-198:18		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad	198:20		
Modra, Chad 12/15/2015	ol AFFIRM	Modra, Chad 12/15/2015	198:22-199:07		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	199:14-199:18		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	199:22-200:18		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	200:20-200:24		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	201:23-202:04		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	202:14-203:03		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	203:05-203:25		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	206:01-206:08		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	214:22-215:01		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	216:11-218:14		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	219:06-221:05		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	221:07-221:08		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	221:10-221:13		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	258:17-259:24		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	260:12-260:24		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	262:16-263:01		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	263:03-263:04		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	263:06-263:10		
Modra, Chad 12/15/2015 Modra, Chad Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	263:12-263:13		
Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	263:15-263:25		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	L AFFIRM	Modra, Chad 12/15/2015	264:05-264:11		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	ol Affirm	Modra, Chad 12/15/2015	264:15-264:24		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad 12/15/2015	265:01-265:02		
Modra, Chad 12/15/2015 Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad 12/15/2015	265:18-265:24		
Modra, Chad 12/15/2015	PL AFFIRM	Modra, Chad 12/15/2015	271:25-272:05		
	PL AFFIRM	Modra, Chad 12/15/2015	272:07-272:08		

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	SNC
PL AFFIRM	Modra, Chad	272:10-273:02			
	12/15/2015				
PL AFFIRM	Modra, Chad	273:23-274:02			
	12/15/2015				
PL AFFIRM	Modra, Chad	274:17-275:10			
	12/15/2015				
PL AFFIRM	Modra, Chad	276:05-276:22			
	12/15/2015				
PL AFFIRM	Modra, Chad	279:10-279:14			
	12/15/2015				
PL AFFIRM	Modra, Chad	280:20-280:22			
	12/15/2015				

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	O'Quinn, Shari Allen	7:22-8:01			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	10:05-10:08			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	19:15-19:18	Sustain	This testimony is not longer accurate-her employer has changed	
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	29:03-29:06	Overrule	Rules 401, 402 and 403-implies that Bard has a duty to warn patients. Under Oregon law that duty is to physicians.	It is relevant as to what information Bard made public.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	38:21-39:02			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	39:17-39:19			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	39:21			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	42:23-42:25			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	43:06-43:17 Starting a "They"			
PL AFFIRM	O'Quinn, Shari Allen	43:17:43:21			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	61:20-61:22			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	66:04-66:08 Ending with "No"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	68:16-68:21			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	79:11-79:15 Ending with "use"			
PL AFFIRM	O'Quinn, Shari Allen	82:03-82:05 Starting with "When the"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	82:10-82:12			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	86:23-87:01			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	87:08-87:09			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	91:03-91:07	Sustain	Rules 401, 402 and 403-there is no allegation that the filter in this case was mislabeled or adulterated.	Evidence will be presented that Bard distributed false information
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	91:09-91:13	Sustain	Rules 401, 402 and 403 there is no allegation that the filter in this case was mislabeled or adulterated.	Evidence will be presented that Bard distributed false information
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	107:09-107:13			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	107:17-107:19 Ending with "Yes"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	111:06-111:10			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	111:12 "Yes"	Sustain	incomplete answer. Complete answer is lines 12-16 and 19	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	134:11-134:12 Ending at "Filter"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	134:12 "When Cleared"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	134:13-134:17 Starting at "cleared"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	151:14-151:19 Ending at "Them"	Overrule	incomplete answer. Complete answer is on lines 18-21	FRE 106 only requires completeness that "in faimess ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	173:21-174:03 Starting at "Did"			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	184 07	Overrule	Rules601/602 and 612-The witness was not at Bard when this document was created and counsel is reading it into the record.	This is information that the witness should have been aware of. The 510K was something that she should have been exposed to during her time at Bard.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	184:21-184:25	Overrule	Rules601/602 and 612-The witness was not at Bard when this document was created and counsel is reading it into the record.	This is information that the witness should have been aware of. The 510K was something that she should have been exposed to during her time at Bard.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	186:11-186:17	Overrule	Rules601/602 and 612-The witness was not at Bard when this document was created and counsel is reading it into the record.	This is information that the witness should have been aware of. The 510K was something that she should have been exposed to during her time at Bard.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	191:10			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	191:17-191:21 Starting at "Traditional"			
PL AFFIRM	O'Quinn, Shari Allen	192:03-192:09			
PL AFFIRM	O'Quinn, Shari Allen	192:25-193:05			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	196:24-197:09	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
PL AFFIRM	O'Quinn, Shari Allen	223:11-223:15	Overrule	Rules 401, 402 ad 403	Bard having the ability to recall its products is relevant to the case at hand.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	230:02-230:06	Overrule	Rules 401, 402 and 403-there is no allegation that the filter in this case was mislabeled or adulterated.	Evidence will be presented that Bard distributed false information
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	231:19-231:22			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	231:24 "It may, yes"	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See, 241:3-4. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The witness has testified the her knowledge of the Bard line of filters and her fole in the product of Bard filters. Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not
DEF COUNTER	O'Quinn, Shari Allen	232:01-232:02			
DEF COUNTER	0'Quinn, Shari Allen	232 04			
PL AFFIRM	O'Quinn, Sharia Allen 10/09/2013	240:14	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See, 241:3-4. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The witness has testified the her knowledge of the Bard line of filters and her fole in the product of Bard filters. Testimony involves the Recovery, which is the predicate filter to the G2. the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any pregludice is not
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	249:03-249:12	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G3x, and the Eclipse are the same filter with the exception of a removal hook on the G3X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G3X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	249:24-250:04	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G3x, and the Eclipse are the same filter with the exception of a removal hook on the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G3X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	250:07-250:08	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 271:15	The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familure with its contents. This is information that the witness should have known
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	271 03	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 271:15	The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familure with its contents. This is information that the witness chould have known
DEF COUNTER OQuinn 10 9	O'Quinn, Shari Allen 9 1 3 1 0 49/2013	271:15	Overrule	improper designation. And answer without a question. Nonresponsive.	191

Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 271:15 276:15-276:16 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14 (290:13-201-20-20-20-20-20-20-20-20-20-20-20-20-20-
276:03-276:10 276:13 276:15-276:16 277:20-278:06 290:13-290:14 290:16-291:04 Ending at "Bard" 291:09-291:10 292:05-292:17 292:05-294:07

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	0 Quinn, Shari Allen 10/09/2013	297:22-298:02	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punithed damages calim dismissed. Rules 601,605 & 612. Lacks foundation, witherse does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook to the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predigutie is not unifar. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	0 Quinn, Shari Allen 10/09/2013	298:13-298:18	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punithed damages calim dismissed. Rules 601/605, & 612. Lacks foundation, withress does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook to the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediguite is not unfair. The witness has established her ability to be estify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	298:20	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	
PL AFFIRM	0 Quinn, Shari Allen 10/09/2013	300:13-300:18	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punithed damages calim dismissed. Rules 601/605, & 612. Lacks foundation, withress does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook to the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediguite is not unfair. The witness has established her ability to be retrify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	300:21	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punithed damages claim dismissed. Rules 601,605, & 612. Lacks foundation, withress does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook to the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predigidice is not unfair. The witness has established her ability to be estify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	300:25 Begining with "It"	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	301:02-301:05	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and discussing the filternes of the Recovery is directly related to various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familure with its contents. This is information that the witness should have known.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	303:18-303:23	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	304:01-304:02	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	304:15-305:07	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Planifits' suntivide damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2A, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the failures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not undir. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	305:10-305:15	Sustain	Rules 401, 402 - 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweigned by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the C3/C3X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	305:19-306:02	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	306:09-306:13	Sustain	Rules 401, 402 - 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweigned by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediguide is not undir. The witness has established her ability to bestify to this subject marter. The witness does have to see a document to be familure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	307:06-307:07	Sustain	Rules 401, 402 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2A, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.

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PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	306 09	Sustain	2, 403 – Testimony does not involve filter at issue and/or failure; Irrelevant and any probative value outweighed by prejudicial larly with Plaintiff s punitive damages claim dismissed. Rules 2. Lacks foundation, witness does not have personal knowledge of	NEST CIVISES TO COSTCITIONS
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	307:18-308:04	Sustain	subject matter, calls for speculation by the witness. See 290:13-14 Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failtures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	308:06-308:13	Sustain	Rules 401, 402 – Testimony does not involve filter at issue and/or failure doed at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, Test G2s, and the Eclipse are the same filter with the exception of a removal hook on the G2x and the Eclipse are filter with the exception of a removal hook on the G2x and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	308:20-309:03	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	
PLAFFIRM	O'Ouinn, Shari Allen 10/09/2013	309:21-309:23	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2A, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defection design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. The witness does have to see a document to be familiure with its contents. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	310:08-310:09	Sustain	No exhibit marked and counsel is reading from a document not in evidence. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Counsel is not reading from a document.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	310:12-310:22	Sustain	No exhibit marked and counsel is reading from a document not in evidence. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	310:24	Sustain	No exhibit marked and counsel is reading from a document not in evidence. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Counsel is not reading from a document.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	320:11-320:21	Sustain	No exhibit marked and counsel is reading from a document not in evidence. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Counsel is not reading from a document. This information we be pre-admitted into evidence.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	320:23	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Counsel is not reading from a document. This information we be pre-admitted into evidence.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	321:17-322:01	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Incomplete answer	Counsel Is not reading from a document. This information we be pre-admitted into evidence.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	322 07	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Counsel Is not reading from a document. This information we be pre-admitted into evidence.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	332:12-332:18	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Counsel Is not reading from a document. This information we be pre-admitted into evidence.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	332.25 ending at "are"	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2,, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the filalures of the Recovery is directly related to the G2/G2X/Eclipse. Any prediodice is not unfair. The witness has estabilished her ability to testify to this subject matter. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	333:17-333:21	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2,, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and ast to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery listiler suffered similar rates of various failures and slacussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	333:23-333:24	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	
PL AFHRM	O'Quinn, Shari Allen 10/09/2013	337:23-338:06	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/ or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Larks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and ast to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	338:08-338:09	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2A, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the C2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	338:11	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	
PL AFHRM	O'Quinn, Shari Allen 10/09/2013	338:13-338:18 Starting with "I'm sure"	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2,, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a deflective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. This is information that the witness should have known.
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	341:08-341:17	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial mode at issue; irrelevant and any probative value outweighed by prejudicial et issue; irrelevant and any probative value outweighed by prejudicial mode at issue; irrelevant and any probative value outweighed by prejudicial the G2,62X,Eclipse are the same filter with the exception of a removal hook on the G2, and the Edipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery if iter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. This is information that the witness should have known.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a deflective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair. The witness has established her ability to testify to this subject matter. This is information that the witness should have known.
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	341:19-341:20			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	341:23			
PL AFFIRM	O'Quinn, Shari Allen 10/09/2013	341:25			

RESPONSES TO OBJECTIONS					
OBJECTION	Duplicate of affirmative designation and cumulative. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failer mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Duplicate of affirmative designation and cumulative. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plainfiff spunitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Duplicate of affirmative designation and cumulative. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Duplicate of affirmative designation and cumulative. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14	Duplicate of affirmative designation and cumulative. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or faliure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff spunitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, vitness does not have personal knowledge of subject matter, calls for speculation by the witness. See 290:13-14
RULING	Sustain	Sustain	Sustain	Sustain	Sustain
DESIGNATIONS	303:01-303:03	304:16-304:25	305:01-305:08	305:10-305:15	305:18-305:21
DEPONENT	O'Quinn, Shari Allen 10/09/2013	O'Quinn, Shari Allen 10/09/2013	O'Quinn, Shari Allen 10/09/2013	O'Quinn, Shari Allen 10/09/2013	O'Quinn, Shari Allen 10/09/2013
DESIGNEE	PL COUNTER	PL COUNTER	PL COUNTER	PL COUNTER	PL COUNTER

DESIGNEE PI RI ANKET	O'Ouipp Shari Allon	DESIGNATIONS	RULING	OBJECTION Diaintiff phiers to all of the textimony of Ms. O'O uinn regardine \$10(k)	RESPONSES TO OBJECTIONS This issue was addressed by the Court and Plaintiff's motion in limine were
Z	10/21/2019			ranion objects of an outer Examinary in the Control of the Control	denied.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	10:23-13:17			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	14:01-16:06			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	16:10-17:09			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	17:12-17:14			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	18:01-18:11			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	18:14-20:04			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	20:07-20:11			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	20:13-20:21			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	21:07-21:09			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	21:12-21:20			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	21:23-22:07			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	22:10-22:14			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	22:16-22:20			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	22:23-23:13			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	23:16-23:20			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	23:22-24:06			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	24:09-25:01			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	25:04-25:11			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	25:14-25:25			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	26:03-26:11			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	26:14-26:21			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	26:23-27:06	Overrule	Objection Speculation and lack of foundation: The foundation for the witness to testify as to what the FDA was aware has not been established. Accordingly, the answer is speculative as to what the the FDA knew or was aware of.	(27:02 – 27:06) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA understood based on those documents. The
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	27:08-27:21			MATTIESS, IS, DOY, STRETTLIBEITO
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	27:23-28:15			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	28:18-29:07			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	29:10-29:15			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	29:17-30:08			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	30:12-30:16			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	30:18-31:23	Overrule	Lack of foundation and is speculative. The foundation for this witness to testify to such matter has not been established. There is no evidence the witness has personal knowedge regarding what is commont of 510k submissions to the FDA and FDA requirements for clinical testing. Accordingly, the testimony is purely specultive.	(31:20 - 31:23) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	32:01-32:11	Overrule	Lack of foundation and is speculative. The foundation for this witness to testify to such matter has not been established. There is no evidence the witness has personal knowedge regarding what is commont of 510k submissions to the FDA and FDA requirements for clinical testing. Accordingly, the testimony is purely specultive.	(32:10 – 32:11) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	32:13-32:19			
DEF AFIRM	O'Quinn, Shari Allen 10/21/2019	32:21-32:25	Sustain	Lack of foundation and is speculative. The foundation for this witness to testify to such matter has not been established. There is no evidence the witness has personal knowedge regarding what the FDA's requirements were for 510k submissions in general. Further, the witness speculates as to what the FDA would have done. Accordingly, the testimony is purely speculitive.	(32:22 - 32:25) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein and what the FDA process is relative to the steps involved in a 510k submission. The witness is not speculating.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	33:02-35:03			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	35:06-35:21			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	35:24-36:04	Overrule	Lack of foundation. The foundation for this witness to testify about the document or the contents has not been established. The witness is not the author of the document and her knowledge of the information contained in the document has not been established.	(36:02 - 36 04) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein. She is explaining to the jury what the 510k document includes.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	36:07-36:13	Overrule	Lack of foundation. The foundation for this witness to testify about the document or the contents has not been established. The witness is not the author of the document and her knowledge of the information contained in the document has not been established.	(36:11 – 36:13) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is familiar with the materials she is being questioned about and has personal knowledge of the matters therein. She is explaining to the jury what the 510k document includes.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	36:16-36:19			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	36:21-37:14			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	37:16-37:21			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	37:24-38:06			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	38:09-38:17	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has not been established.	(38:14 - 38:17) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the Asch study on Recovery filters, as study with which she is familiar and which was included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain. The witness is not speculating.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	38:20-39:01	Overrule	Lack of foundation. The foundation for this witness to testify regarding thhe Ash study or the results has not been established.	(38:24 – 39:01) The witness has training and experience with FDA regulations and processes and while at Bard worked in the regulatory department and as a contact for Bard with the FDA on IVC filter issues. The witness is being asked about the Asch study on Recovery filters, a study with which she is familiar and which was included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain. The witness is not speculating.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	39:03-39:06			

PESCANE PESC	RESPONSES TO OBJECTIONS RESPONSES TO OBJECTIONS (39.74 - AD-07) The witness has training and expedience with EDA regulations and
O'Culinn, Shari Allen S.2.03-52:10 O'Culinn, Shari Allen O'Culinn, Shari Allen S.2.03-52:10 O'Culinn, Shari Allen S.2.13-52:15	
O'Quinn, Shari Allen 40:04-40:10 10/21/2019 40:13-40:18 O'Quinn, Shari Allen 40:13-40:18 O'Quinn, Shari Allen 40:20-40:22 10/21/2019 40:20-40:22 O'Quinn, Shari Allen 44:09-44:22 10/21/2019 44:04-45:08 O'Quinn, Shari Allen 45:13-45:01 O'Quinn, Shari Allen 45:13-46:03 O'Quinn, Shari Allen 45:24-46:03 O'Quinn, Shari Allen 45:03-48:11 O'Quinn, Shari Allen 45:04-48:19 O'Quinn, Shari Allen 45:02-48:11 O'Quinn, Shari Allen 50:24 O'Quinn, Shari Allen 51:12-51:39 O'Quinn, Shari Allen 51:21 O'Quinn, Shari Allen 51:21 O'Quinn, Shari Allen 51:21 O'Quinn, Shari Allen 52:07-52:10 O'Quinn, Shari Allen 52:07-52:10 O'Quinn, Shari Allen <td< td=""><td></td></td<>	
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O'Quinn, Shari Allen 44:24-5:08 10/21/2019 O'Quinn, Shari Allen 45:13-45:21 O'Quinn, Shari Allen 45:03-46:03 O'Quinn, Shari Allen 45:03-46:09 O'Quinn, Shari Allen 47:05-48:11 O'Quinn, Shari Allen 47:05-48:11 O'Quinn, Shari Allen 47:05-48:11 O'Quinn, Shari Allen 47:05-48:11 O'Quinn, Shari Allen 49:01 O'Quinn, Shari Allen 50:25-51:08 O'Quinn, Shari Allen 51:21 O'Quinn, Shari Allen 51:21 O'Quinn, Shari Allen 51:03-52:05 O'Quinn, Shari Allen 51:03-52:05 O'Quinn, Shari Allen 51:03-52:05 O'Quinn, Shari Allen 52:07-52:10 O'Quinn, Shari Allen 52:07-52:10 O'Quinn, Shari Allen 52:07-52:10 O'Quinn, Shari Allen 52:03-52:05	
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O'Quinn, Shari Allen 51:21 10/21/2019 O'Quinn, Shari Allen 52:03-52:05 O'Quinn, Shari Allen 52:07-52:10 O'Quinn, Shari Allen 52:07-52:15 O'Quinn, Shari Allen 52:13-52:15	
OʻQuinn, Shari Allen 52:03-52:05 Overrule 10/21/2019 OʻQuinn, Shari Allen 52:07-52:10 Overrule 10/21/2019 OʻQuinn, Shari Allen 52:13-52:15	
O'Quinn, Shari Allen 52:07-52:10 Overrule 10/21/2019 0'Ouinn, Shari Allen 52:13-52:15	this witness to testify about the document (52:03 - 52 05) The witness has training and experience with FDA regulations and d. The witness is not the author of the processes and while at Bard worked in the regulatory department and as a contact ormation contained in the document has for Bard with the FDA on IVC filter issues. The witness is being asked about Bard testing on Recovery filters, with which she is familiar and which were included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain.
O'Quinn. Shari Allen	this witness to testify about the document (52.08 – 52.10) The witness has training and experience with FDA regulations and careful and the department and as a contact processes and while at Bard worked in the regulatory department and as a contact ormation contained in the document has for Bard with the FDA on IVC filter issues. The witness is being asked about Bard testing on MR recovery filters, with which she is familiar and which were included with the materials sent to the FDA for the 510k on the Recovery filter. She has personal knowledge of the materials she is being asked to explain.
10/21/2019	
DEF AFFIRM O'Quinn, Shari Allen 52:17 52:17 10/21/2019	
DEF AFFIRM O'Quinn, Shari Allen 53:15-53:24 10/21/2019 10/21/2019	
DEF AFFIRM O'Quinn, Shari Allen 54:01-54:04	
DEF AFFIRM O'Quinn, Shari Allen 54:06-54:24	

	PESIGINATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
O'Quinn, Shari Allen 10/21/2019	55:01			
O'Quinn, Shari Allen 10/21/2019	55:11-55:13			
O'Quinn, Shari Allen	55:16-56:06			
O'Quinn, Shari Allen	56:08-56:15			
O'Quinn, Shari Allen	56:18-57:01			
O'Quinn, Shari Allen 10/21/2019	57:04-57:12			
O'Quinn, Shari Allen 10/21/2019	57:14-57:19			
O'Quinn, Shari Allen 10/21/2019	57:22			
O'Quinn, Shari Allen 10/21/2019	63:19			
O'Quinn, Shari Allen	63:22-64:11			
O'Quinn, Shari Allen 10/21/2019	64:15-65:05			
O'Quinn, Shari Allen	69:21-70:18			
O'Quinn, Shari Allen	70:21-70:23			
O'Quinn, Shari Allen	71:02-71:04			
O'Quinn, Shari Allen 10/21/2019	71:07-71:10			
O'Quinn, Shari Allen 10/21/2019	71:12-71:19			
O'Quinn, Shari Allen 10/21/2019	71:22-71:24			
O'Quinn, Shari Allen 10/21/2019	78:20-78:24			
O'Quinn, Shari Allen 10/21/2019	79:02-79:03			
O'Quinn, Shari Allen 10/21/2019	99:12-99:21			
O'Quinn, Shari Allen 10/21/2019	99:24-100 03			
'Quinn, Shari Allen 10/21/2019	100:06-100:11			
O'Quinn, Shari Allen 10/21/2019	100:12 ("recall")			
O'Quinn, Shari Allen 10/21/2019	100:15-100:19			
O'Quinn, Shari Allen 10/21/2019	100:22-101:09			
O'Quinn, Shari Allen 10/21/2019	101:20-101:23			
O'Quinn, Shari Allen 10/21/2019	102:12-102:17	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has a not been established. The witness is not qualified to opine on the theraputic then entities to a patient. The witness is not qualified to give the opinions offered and is therefore improper expert opinion testimony.	(102:03 – 102:09) The witness is very knowledgeable about the indications for use, the testing and warnings Bard provided for the Recovery filter. She is familiar with Bard records on the performance of the Recovery filter. Her testimony is given based on her own personal knowledge.
O'Quinn, Shari Allen 10/21/2019	102:19	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has prot been established. The witness is not qualified to opine on the theraputic benefits to a patient. The witness is not qualified to give the opinions offered and is therefore impronee award nation testimony.	Plaintiff's objection is non-sensical. Plaintiff is objecting to a one-line answer by the witness "Yes, absolutely."
O'Quinn, Shari Allen 10/21/2019	103:04-103:20			
O'Quinn, Shari Allen 10/21/2019	103:22-104:03			
O'Quinn, Shari Allen 10/21/2019	104:14-104:16	Overrule	Lack of foundation. The foundation for this witness to testify about the document. To or the contents has not been established. The witness is not the author of the moderument and her knowledge of the information contained in the document has not hear established.	There is no basis for the objection - there is no testimony that indicates that the witness lacks personal knowledge. See, 104:20-24
DEF AFFIRM O'Quinn, Shari Allen	104:19-105:14		THE PROPERTY OF THE PROPERTY O	COC

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	105:17-106:04			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	106:07-106:10			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	106:13-107:06			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	107:09-107:13			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	107:15-107:24			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	108:02-108:03			
DEF AFFIRM	O'Quinn, Shari Allen	108:05-108:11			
DEF AFFIRM	0'Quinn, Shari Allen 10/21/2019	108:13-109:04			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	109:07-109:10			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	109:13-109:17			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	109:20			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	110:12-110:22	Overrule	Lack of foundation. The foundation for this witness to testify about the document. There is no basis for the objection - the or the contents has not been established. The witness is not the author of the document and her knowledge of the information contained in the document has actalished.	There is no basis for the objection - there is no testimony that indicates that the witness lacks personal knowledge. See, 104:20-24
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	110:25-111:04			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	111:08-111:25			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	112:03-112:17			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	112:20-113:10			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	113:12-113:25			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	115:01-115:12			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	115:15-115:25			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	116:01-116:20			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	116:23-117:01			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	117:03-118:07			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	118:10-118:15			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	118:18-120:02			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	120:05-120:09			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	120:11-120:13			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	120:16-120:21			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	120:24-121:01			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	121:03-121:16			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	121:19-122:03			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	122:05-122:08			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	122:11-123:03			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	124:21-125:08	Overrule	Lack of foundation. The foundation for this witness to testify regarding the Everest (124:16 – 124:20) The witness has personal knowledge of the Everest study or the PDA's requests. It is not estimated from doctors that was prive to the facts she is testifying about. The testimony is not hearsay the witness has personal knowledge of the Everest study or the FDA's requests.	(124:16 – 124:20) The witness is testifying to information from doctors that she was privy to in her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about. The testimony is not hearsay
OQuinn 10.21.19	21.19				204

COLUMN, Shark Allon 122.11.22.13 Devented COLUMN, Shark Allon 122.11.22.13 Devented COLUMN, Shark Allon 122.12.26.44 Devented COLUMN, Shark Allon 122.21.26.44 Devented COLUMN, Shark Allon 122.21.22.43 Devented COLUMN, Shark Allon 122.21.22.23 Devented COLUMN, Shark Allon 122.21	DESIGNEE	DEPONENT	DESIGNATIONS	RIIING	DRIECTION	RESPONSES TO ORIECTIONS
Organic Standalom 132:13:13:69 Downstee Lock of Francision in the surfaces with pagening the behalf of the page of the Control of the Management of the Control of the Standalom	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	125:11-125:15	Overrule		The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is hearsay.
October Servi Aler 126:07-126:13 Operate Lack of foundation in Technology of the Central Page of t	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	125:23-126:04	Overrule	_	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is hearsay.
Octavia Statistical 13515-132-139 Overrupe Lack of Foundation. The foundation for this witness to be a custodian of record for golden Statistical 13512-132-139 Overrupe Lack of Foundation. The foundation for this witness to be a custodian of record for golden Statistical 13512-132-139 Overrupe Lack of Foundation. The foundation for this witness to be a custodian of record for golden Statistical Lack of Foundation for this witness to be a custodian of record for Column. Statistical 1350-135-136-136 Ocerupe Lack of Foundation for the witness to be a customen establishing the witness to be containing the witness to be a customen establishing the witness to be containing the witness to be containing the witness to be containing the witness to be contained to the witness to be contained to Column. Statistical Lack of Foundation for this witness to be a customen establishing the witness to be contained to the witness to be contained to Column. Statistical Lack of Foundation for this witness to be a customen establishing the discrete containing the witness to be contained to the contained to the witness to be a custodian of record for 1021/2019 Lack of foundation. The foundation for this witness to be a custodian of record for 1021/2019 Lack of foundation. The foundation for this witness to be a custodian of record for 1021/2019 Lack of foundation. The foundation for this witness to be a custodian of record for 1021/2019 Lack of foundation. The foundation for this witness to be a custodian of record for 1021/2019 Lack of foundation. The foundation for	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	126:07-126:13	Overrule		The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is hearsay.
O'Claim's Start Allen 127.13-128.99 Overrule Lack of promotion for this domestion to be a custodian of record for JOZILZ019 Ocerule Lack of promotion for this winness to be a custodian of record for JOZILZ019 Session Lack of promotion for this winness to be a custodian of record for JOZILZ019 Ocerule Lack of foundation in freguent at Start Prefer is no testimony establishing the winness has personal knowledge of what is normal in regards to PIA 5.10k clearance. O'Claim's Start Allen 129.15-129.24 Ocerule Lack of foundation in the foundation for this winness to testimony establishing the winness has personal knowledge of what is normal in regards to PIA 5.10k clearance. O'Claim's Start Allen 130.19-130.20 Ocerule Lack of foundation. The foundation for this winness to testimony establishing the deversal start Allen 130.19-130.20 Ocerule Lack of foundation. The foundation for this winness to testimony establishing the deversal start Allen 131.09-131.20 Ocerule Lack of foundation. The foundation for this winness to testimony establishing the deversal start Allen 131.09-131.20 Ocerule Lack of foundation. The foundation for this winness to testimony establishing the deversal start Allen 131.109-131.20 Ocerule Lack of foundation. The foundation for this winness to testimony establishing the deversal start Allen 131.109-131.20 Ocerule Lack of foundation. The foundation for this winness to testimony establishing the deversal start Allen 131.109-131.20 Ocerule Lack of foundation. The foundation for this winness to be a custodian of record for Occioum, Start Allen 131.20-132.32 Ocerule Lack of foundation. The foundation for this winness to be a custodian of record for Occioum, Start Allen 131.20-132.32 Ocerule Lack of foundation. The foundation for this winness to be a custodian of record for Occioum, Start Allen 131.20-132.32 Ocerule Lack of foundation The foundation for this winness to be a custodian of record for Occioum, Start Al	DEF AFFIRM	O'Quinn, Shari Allen	126:16-127:11			
Octaon, Start Allen 128:12-122.1 Sustain Lack of foundation for this winness to testimony establishing the winness to octaon, Start Allen 128:12-123.2 Sustain Lack of foundation for the casults has not been established. There is no testimony establishing the winness to octaon, Start Allen 129:19-129:13 Octaon, Start Allen 130:12-130.2 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Octaon, Start Allen 130:12-130.2 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Octaon, Start Allen 130:12-130.2 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Octaon, Start Allen 130:12-130.2 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Octaon, Start Allen 130:12-130.2 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Octaon, Start Allen 131:10-131.2 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for the winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Oceanie Lack of foundation for this winness to testify regarding the Everest 100:121/2019 Octaon, Start Allen Lack of foundation for this winness to testify regarding the Everest 100:121/2019	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	127:13-128:09	Overrule	e a custodian of record for	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is hearsay.
O'Clubro, Start Allen 129.24-129.07	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	128:12-128:21	Sustain	Lack of foundation. The foundation for this witness to testify regarding FDA device The witness is clearance has not been established. There is no testimony establishing the witness there is nothin has personal knowledge of what is normal in regards to FDA 510k clearance.	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is hearsay.
Option Stark Allen 139.19.139.3 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Option Stark Allen 130.02.130.13 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Option Stark Allen 130.02.130.13 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Option Stark Allen 130.12.13.13 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Option Shari Allen 130.13.13.02.13.13.0 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Obtion Shari Allen 131.02.13.13.0 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Obtion Shari Allen 131.02.13.13.0 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Obtion Shari Allen 131.02.13.13.0 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019 Obtion Shari Allen 131.02.13.13.0 Descride Lock of foundation. The foundation for this witness to testify regarding the Everent 10/21/2019	DEF AFFIRM	O'Quinn, Shari Allen	128:24-129:07			
Octuann, Shari Allen 13915-13924 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION OCTUANDS SHARING 130.02-130.13 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION OCTUANDS SHARING 130.12-130.20 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION OCTUANDS SHARING 130.19-130.20 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION SHARING 130.19-130.20 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION SHARING 131.09-131.20 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION SHARING 131.09-131.20 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100/21/2019 OCIDIATION SHARING 131.20-131.20 Override Lock of foundation. The foundation for this witness to testify regarding the Everest 100 override 100/21/2019 OCIDIATION SHARING 131.20-131.30 Override Lock of foundation. The foundation for this witness to testify regarding the Evere	DEF AFFIRM	O'Quinn, Shari Allen	129:10-129:13			
O'Guinn, Shari Allen 130.02-130-13 Deerrule Lick of froundation The foundation for the siveness to setsify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the foundation for this witness to testify or what it was designed 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the foundation for this witness to testify regarding the foundation for this witness to testify regarding the footoment 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the footoment 10/21/2019 Lick of foundation. The foundation for this witness to testify regarding the footoment 10/21/2019 Column, Sharl Allen Lick of Foundation for this witness to testify regarding the document 10/21/2019 Column, Sharl Allen Lick of Lick of Foundation for the foundation for this witness to testify regarding the footoment 10/21/2019 Column, Sharl Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	129:15-129:24			
O'Quinn, Shari Allen 130.17 Overrule 130.17 Overrule 130.17 Overrule 130.17 Overrule 130.17 Overrule 130.13/10.19	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	130:02-130:13	Overrule	st	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.
130.19.130.20 130.19.130.2	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	130:17	Overrule	şt	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.
O'Culinn, Shari Allen 131:02-131:06 Overrule Lack of foundation for this witness to testify regarding the Everest 10/21/2019 Study or the results has not been established. There is no testimony establishing the witness has personal knowledge of the Everest study or what it was designed to do (D'Culinn, Shari Allen 131:09-131:20 Overrule Lack of foundation for this witness to testify regarding the Everest 10/21/2019 Lack of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lack of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lack of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Lack of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 Column, Shari Allen 132:08-132:12 Overrule Lack of foundation. The foundation for this witness to testify regarding the document 10/21/2019 Lack of foundation. The foundation for this witness to testify regarding the document 10/21/2019 Column, Shari Allen 132:13-133:09 Lack of Foundation. The foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 133:12-133:09 Lack of Foundation. The foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 133:12-133:09 Lack of Foundation. The foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 133:12-133:09 Lack of Foundation. The foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 133:12-133:09 Lack of Foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 134:20-133:09 Lack of Foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 133:12-133:13 Lack of Foundation for this witness to be a custodian of record for 10/21/2019 Column, Shari Allen 133:12-133:13 Lack of Foundation for this witness	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	130:19-130:20	Overrule	ţţ	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.
O'Quinn, Shari Allen 131:09-131:20 Overrule to Quinn, Shari Allen Lack of foundation. The foundation for this witness to testify regarding the Everest 10/21/2019 O'Quinn, Shari Allen 131:22-132:05 Overrule to Quinn, Shari Allen 131:32-132:05 Overrule to Quinn, Shari Allen 132:34-132:12 Overrule to Quinn, Shari Allen 132:34-133:16 Doverrule to Quinn, Shari Allen 133:32-133:16 Doverrule to Quinn, Shari Allen 133:32-133:18 Doverrule to Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	131:02-131:06	Overrule	ts	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.
O'Quinn, Shari Allen 131:22-132:05 Overrule Lack of foundation. The foundation for this witness to testify regarding the document of the FDA's state of mind has not been established. There is no testimony establishing the witness has personal knowledge of the the document and ralls for the witness to sneculate O'Quinn, Shari Allen 132:08-132:12 Overrule Lack of Foundation. The foundation for this witness to be a custodian of record for an orbit of the document at issue has not been established. O'Quinn, Shari Allen 132:14-133:16 Bard or the document at issue has not been established. O'Quinn, Shari Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Shari Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Shari Allen 133:25-134:08 Bard or the document at issue has not been established. O'Quinn, Shari Allen 133:25-134:08 Bard or the document at issue has not been established. O'Quinn, Shari Allen 133:25-134:08 Bard or the document at issue has not been established. O'Quinn, Shari Allen 133:25-134:08 Bard or the document at issue has not been established. O'Quinn, Shari Allen 134:20-135:05 Bard or the document at issue has not been established. O'Quinn, Shari Allen 135:12-133:05	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	131:09-131:20	Overrule	Ħ	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.
O'Quinn, Shari Allen 132:08-132:12 Overrule Lack of Foundation The foundation for this witness to be a custodian of record for 10/21/2019 O'Quinn, Shari Allen 132:14-132:17 Overrule Lack of Foundation. The foundation for this witness to be a custodian of record for 10/21/2019 O'Quinn, Shari Allen 132:19-133:09 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 133:19-133:16 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 133:19-133:16 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 133:19-133:16 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 133:19-133:16 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 133:25-134:08 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 133:20-135:05 Bard or the document at Issue has not been established. O'Quinn, Shari Allen 135:02-135:18 Bard or the document at Issue has not been established.	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	131:22-132:05	Overrule	ıment	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative. The question is not leading.
O'Quinn, Sharf Allen 132:14-132:17 Overrule Lack of Foundation. The foundation for this witness to be a custodian of record for 10/21/2019 O'Quinn, Sharf Allen 132:19-133:09 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 133:12-133:16 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 135:12-133:18 Bard or the document at issue has not been established. O'Quinn, Sharf Allen 135:12-133:18 Bard or the document at issue has not been established.	DEF AFFIRM	O'Quinn, Shari Allen	132:08-132:12			
O'Quinn, Shari Allen 132:19-133:09 O'Quinn, Shari Allen 133:12-133:16 O'Quinn, Shari Allen 133:25-134:08 O'Quinn, Shari Allen 133:25-134:08 O'Quinn, Shari Allen 133:25-134:08 O'Quinn, Shari Allen 134:20-135:05 O'Quinn, Shari Allen 134:20-135:05 O'Quinn, Shari Allen 134:20-135:05 O'Quinn, Shari Allen 135:08-135:10 O'Quinn, Shari Allen 135:08-135:10 O'Quinn, Shari Allen 135:08-135:18	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	132:14-132:17	Overrule	e a custodian of record for	The witness is testifying from her own personal experiece, is not speculating, and there is nothing about this testimony that is speculative.
O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen O'Quinn, Shari Allen O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	132:19-133:09			
O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	133:12-133:16			
O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	133:19-133:22			
O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	133:25-134:08			
O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	134:11-134:17			
O'Quinn, Shari Allen 10/21/2019 O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	134:20-135:05			
O'Quinn, Shari Allen	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	135:08-135:10			
10/21/2019	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	135:12-135:18			

DESIGNEE	DEPONENT	DESIGNATIONS	KULING		RESPONSES TO OBJECTIONS
DEF AFFIKIVI	0 Quinn, Snari Allen 10/21/2019	135:21-135:23	Overrue	Lack of roundation. The roundation for this writhess to testiny regarding (Lecting Interpretations of the recovery filter has not been established. There is no fift testimony establishing the witness has personal knowledge and calls for the definitions to executate.	(1435.ZL = 1450.05) In ewitness is testifying to types or complications in bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	135:25-136:03	Overrule	The foundation for this witness to testify regarding recovery filter has not been established. There is no ig the witness has personal knowledge and calls for the inthe witnes has not been estbalished as an expert and the	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	136:05-136:13	Overrule	or this witness to testify regarding in as not been established. There is no as personal knowledge and calls for the s not been estbalished as an expert and the	(135:22 – 136:08) The witness is testifying to types of complications in Bard IVC filters about which she is knowledgeable because of her role in the regulatory department at Bard. She has personal knowledge of the facts she is testifying about.
DEF AFFIRM	O'Quinn, Shari Allen	136:16-137:02			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	137:05-137:12			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	137:14-137:17			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	137:20-138:09			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	138:12-138:19	Overrule	Asks a hypothetical. The witness's testimony is speculative as to what would have Troccurred if the document was received. Accordingly, the testimony is not relevant prastit lack probabitive value.	This is an answer, not a question, but the question asks about Bard business practices.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	138:22-139:05			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	139:08-139:17			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	139:20-139:22			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	139:24-140:07			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	140:10-140:23			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	141:01-141:06			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	141:08-141:10			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	141:13-141:23			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	142:01-142:04			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	142:07-143:03			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	143:06-144:08			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	144:11-144:24	Overrule	Lack of Foundation. The foundation for this witness has not been established. The Tri witness has no personal knowledge of the document or the information contained extrerein.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating. She has not mischaracterized the document
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	145:02-146:09			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	146:12-146:15			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	146:17-147:05			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	147:08-147:09			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	147:19-150:08			
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	150:11-150:14	Overrule	Lack of Foundation. The foundation for this witness has not been established. The Tri witness has no personal knowledge of the document or the information contained entherein.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	150:16-151:25	Overrule	Foundation. The foundation for this witness has not been established. The has no personal knowledge of the document or the information contained	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not soeculating
DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	152:03-152:08			

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1,000 cm	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	152:11-152:19	Overrule	Lack of foundation; The foundation for this witness to testify regarding the quantity distributed has not been established.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal
A comparison 1920-1925 A comparison 1920		6102/12/01			qualitity distributed figs flot been established.	knowledge of these facts and is not speculating.
15.07.15.12.10.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	152:22-153:04	Overrule	Lack of foundation; The foundation for this witness to testify regarding the complaint history of the G2.	The witness is testifying about facts of which she is knowledgeable due to her experience and follen the regulatory department at Bard. She has personal knowledges facts and is not snowlating.
Servicione 1912-1945 (1) 1941-1941	DEF AFFIRM	O'Quinn, Shari Allen	153:07-153:11			THE PROPERTY OF THE PROPERTY O
Fig. 15 (24) 1145 (14) (14) (14) (14) (14) (14) (14) (14)	DEF AFFIRM	O'Quinn, Shari Allen	153:13-154:05			
Fig. 1987 (1997) 1911-1911 (1997) 1911-1	DEF AFFIRM	0'Quinn, Shari Allen 10/21/2019	154:07-154:09			
15.15.15.13 Demons to the transfer and the proposal and the services of the se	DEF AFFIRM	0'Quinn, Shari Allen 10/21/2019	154:11-154:13			
21,202.01 21,202.02 21,202.03 21,202	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	154:15-154:18	Overrule	Calls for speculation; The question asks a hypothetical about the mind set of another person. The witness is not qualifed to give such testimony as it is simply speculative. Because the testimony is speculative, it has no probabitive value.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
Schar Alter 15519-15613 Schar Alter 25619-15613 Schar Alter 2570-15721 Devrise control and the bounded on the lowiness to tasking whose described in the regulatory department at Burd Schar Alter 2570-15610 Scha	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	154:21-155:17	Overrule	Calls for speculation; The question asks a hypothetical about the mind set of another person. The witness is not qualifed to give such testimony as it is simply speculative. Because the testimony is speculative, it has no probabitive value.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
4.27(2019) 4.28(4) 4.2	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	155:19-156:15			
12,702.19 12,702	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	156:18-156:24	Overrule	Lack of foundation. The foundation for this witness to testify regarding the document and the board meeting has not been established. There is no testimony establishing the witness has personal knowledge and therefore calls for the witness to speculate as to what and with whom was discussed.	
Lack of the method of the setting and therefore calls for the witness has percental and benefits of the C3 filter. There is no estimation the standard reported by the C3 filter. There is no estimation vet standard reported by the C3 filter. There is no estimation vet standard reported by the C3 filter. There is no estimation vet standard by the C3 filter. There is no estimation vet standard by the C3 filter. There is no estimation vet standard by the C3 filter. There is no estimation vet standard by the C3 filter. There is no estimation vet standard by the C3 filter. The vet vet standard by the C3 filter. The vet vet vet vet vet vet vet vet vet ve	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	157:02-157:21	Overrule	Lack of foundation. The foundation for this witness to testify regarding all adverse events of the G2. There is no testimony establishing the witness has personal knowledge and therefore calls for the witness to speculate.	
18.0	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	157:24-158:02	Overrule	Lack of foundation. The foundation for this witness to testify regarding the risk and benefits of the Q2 filter. There is no testimony establishing the witness has personal knowledge and therefore calls for the witness to speculate.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
158.20-158.18 158.20-158.18 158.20-158.23 Overrule In the G2 over Undersion. The foundation from this witness to peculiare, and foliate the regulation gradient each foliate the recovery. There is no estation each foliate the recovery. The recovery the recovery. The recovery. The recovery the recovery. The recovery. The recovery. The recovery the recovery the recovery. The recovery the recovery the recovery. The recovery the recovery the recovery the recovery. The recovery the recovery the recovery the recovery. The recovery the recovery. The recovery the recove	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	158:04-158:08	Overrule	Lack of foundation. The foundation for this witness to testify regarding the risk and benefits of the G2 filter. There is no testimony establishing the witness has personal knowledge and therefore calls for the witness to speculate.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
158.20-158.23 Overrule Lack of foundation. The foundation for this witness is testify no such matter has post facts of which she is knowledgeable due to her not be explained. The foundation of the witness is to give utalified to give the opinions offered and foundation that witness is not qualified to give the opinions offered and foundation. The foundation for this witness is not qualified to give the opinions offered and foundation. The foundation for this witness is not qualified to give the opinions offered and for speculating.	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	158:10-158:18	Sustain	Lack of foundation. The foundation for this witness to testify regarding difference in the G2 over the recovery. There is no testimony establishing the witness has personal knowledge and therefore calls for the witness to speculate.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
158:25-159:05 Overrule Lack of foundation. The foundation for this witness to testify to such matter has been facility to a patient. The witness is not qualified to give the opinions offered and fole in the regulatory deprament at Bard. She has personal hordered to give the opinions offered and fole in the regulatory deprament at Bard. She has personal standard language of these facts and is not specialistic and patient. The witness is not qualified to give the opinions offered and should be specially a standard language of these facts and is not specialistic. In the special standard language of the facts and is not specialistic. In the special standard language of the facts and is not specialistic. In the special standard language of the facts and is not specialistic. In the special standard language of the facts and is not specialistic. In the special standard language of the special standard language o	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	158:20-158:23	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has not been established. The witness is not qualified to opine on the theraputic benefits to a patient. The witness is not qualified to give the opinions offered and is therefrom innrone valued not not to the property of the province province valued not not the province of the province of the province province valued not not the province of the prov	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
n, Sharf Allen 159:07-159:10 72,12019 159:12 72,12019 160:02-160:06 n, Sharf Allen 160:02-160:06 n, Sharf Allen 161:17-161:25 21,2019 162:01-162:10 n, Sharf Allen 162:01-162:25 n, Sharf Allen 163:01-163:25 n, Sharf Allen 164:01-164:08 n, Sharf Allen 164:10-164:25 n, Sharf Allen 164:10-164:25 n, Sharf Allen 164:10-164:25	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	158:25-159:05	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has not been established. The witness is not qualified to opine on the theraputic benefits to a patient. The witness is not qualified to give the opinions offered and is therefroe innrone export onlining testimony.	The witness is testifying about facts of which she is knowledgeable due to her experience and fole in the regulatory depratment at Bard. She has personal knowledge of these facts and is not speculating.
n, Shari Allen 159:12 72,12019 160:02-160:06 n, Shari Allen 160:02-160:06 n, Shari Allen 162:17-161:25 12,12019 162:12-162:10 12,12019 162:12-162:25 12,12019 163:01-163:25 12,12019 164:01-164:08 12,12019 164:01-164:08 12,12019 164:10-164:25	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	159:07-159:10			
7.21/2019 7. Shari Allen 160:02-160:06 7.21/2019 7. Shari Allen 161:17-161:25 7. Shari Allen 162:01-162:10 7. Shari Allen 162:01-163:25 7. Shari Allen 163:01-163:25 7. Shari Allen 163:01-163:25 7. Shari Allen 164:01-164:08 7. Shari Allen 164:10-164:25 7. Shari Allen 164:10-164:25 7. Shari Allen 164:10-164:25	DEF AFFIRM	O'Quinn, Shari Allen 10/21/2019	159:12			
n, Shari Allen 161:17-161:25 221/2019 162:01-162:10 72/2019 162:12-162:25 72/2019 163:01-163:25 72/2019 163:01-163:25 72/2019 164:01-164:08 72/2019 164:10-164:25 72/2019 164:10-164:25	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	160:02-160:06			
n, Shari Allen 162:01-162:10 224/2019 162:12-162:25 n, Shari Allen 163:01-163:25 n, Shari Allen 163:01-164:08 n, Shari Allen 164:01-164:08 n, Shari Allen 164:10-164:25 21/2019 164:10-164:25	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	161:17-161:25			
n, shari Allen 162:12-162:25 124/2019 123:01-163:25 124/2019 124:01-164:08 124:01-164:08 124:01-164:08 124:01-164:05	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	162:01-162:10			
7.21/2019 163:01-163:25 2.21/2019 164:01-164:08 2.21/2019 164:10-164:25 2.21/2019 164:10-164:25 2.21/2019	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	162:12-162:25			
n, Shari Allen 164:01-164:08 164:10-164:08 164:10-164:25 121/2019	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	163:01-163:25			
n, Shari Allen 164:10-164:25 164:20 1	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	164:01-164:08			
	PL COUNTER	O'Quinn, Shari Allen 10/21/2019	164:10-164:25			

DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
	165:01-165:25			
O'Quinn, Shari Allen 10/21/2019	166:01-166:13			
O'Quinn, Shari Allen 10/21/2019	166:14-166:18			
O'Quinn, Shari Allen 10/21/2019	169:18-169:25			
O'Quinn, Shari Allen 10/21/2019	170:01-170:05			
O'Quinn, Shari Allen 10/21/2019	170:11-170:25			
O'Quinn, Shari Allen	171:01-171:13			
O'Quinn, Shari Allen 10/21/2019	182:25			
O'Quinn, Shari Allen	183:01-183:25			
O'Quinn, Shari Allen	186:23-186:25			
O'Quinn, Shari Allen 10/21/2019	187:01-187:11			
O'Quinn, Shari Allen 10/21/2019	187:13-187:25	Sustain	This violates the Court's ruling on Recovery migration deaths. The Milami death is a Recovery migration death. The testimony from 132 - 140 does not open the door to death and the testimony can be offered in context without that testimony. If the testimony is allowed, 187: 16-25 should be redacted. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the FDA approved their handling ot the issues which is not an accurate depiction of the events.
O'Quinn, Shari Allen	188:01-188:25			
O'Quin, Shari Allen 10/21/2019	189:01-189:16	Sustain	This violates the Court's ruling on Recovery migration deaths. The Miami death is a Recovery migration death. The testimony from 132 - 140 does not open the door to death and the testimony can be offered in context without that testimony. If the testimony is allowed, 189:8-16 should be redacted. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the FDA approved their handling ot the issues which is not an accurate depiction of the events.
O'Quinn, Shari Allen 10/21/2019	190:03-190:25	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and ast to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fiatures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
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Autes 104, 102, 403. The standing your on monor interest an above value otherwighed by prejudical effect, particularly with plantiff's purither damages dain dismissed. Nates 401, 402, 403. Testimony relates to interleant and any probative value otherwighed by prejudical effect, and any probative value otherwighed by prejudical effect, and the standing standing poss not relate to the deciment of any probative value otherwighed by prejudical effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve liter at issue and/or failure modes at issue in relevant and any probative value otherwighed by prejudical effect, particularly with palmid sequence of any probative value otherwighed by prejudical effect, particularly with palmid sequence and any probative value otherwighed by prejudical effect, particularly with palmid sequence and prejudical effect, and any probative value otherwighed by prejudical effect, and any probative value o	DESIGNATIONS	RULING	OBJECTION District AND AND Tections and source and invidence filters at increase and for	RESPONSES TO OBJECTIONS Tactimony involves the Berweny which is the predicate filter to the G2. The G3.
Faller and 201, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and my prejudicial effect, and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony designing shads sounder releated to the relative or success of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not introlve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony elates to ricelevant and prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony deas or irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony gear or search or relate to the claims or causes of action at issue in the case; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sale	67.161		Rules 401, 402, 403. I estimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	resultionly movies the recovery, which is the predicted metror for each fired CX. Intel CX. Intel CX. and the CX. and the CX. and the CX. and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The CX/CX/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the GZ/GZX/Eclipse. Any predjudice is not unfair.
Rules 401, 403, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	192:01-192:09	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	Testimony involves the Recovery, which is the predicate filter to the G2, the G2, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the filter so of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial evidence regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	192:14-192:22	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	Testimony involves the Recovery, which is the predicate filter to the G2. The G2, the G2x, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a deflective design and and as to consumer expectation, which are issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
Sustain Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	193:02-193:14	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	Testimony involves the Recovery, which is the predicate filter to the G2, the G2, and the Eclipse are the same filter with the exception of a removal hook on the G3X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a deflective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.
	194:16-194:25	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	Testimony involves the Recovery, which is the predicate filter to the G2, the G2, and the Eclipse are the same filter with the exception of a removal hook on the G2X and electropolishing on the Eclipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The G2/G2X/Eclipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the G2/G2X/Eclipse. Any predjudice is not unfair.

DEPONENT	DESIGNATIONS	RULING	-	RESPONSES TO OBJECTIONS Traditional invaling the Bonesian unline in the proposition filter to the CO The CO
10/21/2019			The testimony is allowed, "with the reports of 10 deaths and" at 135:1. If the testimony is allowed, "with the reports of 10 deaths and" at 135:1. If the testimony is allowed, "with the reports of 10 deaths and and the 145:1. If the at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial effect, particularly with Plaintiff's punitive variety filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Narketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	The GZX, and the Edipse are the same filter with the exception of a removal hook on the GZX and electropolishing on the Edipse. Testimony is relevant to whether the filter filter had a defective design and and as to consumer expectation, which are at issue. The GZ/GZX/Edipse and the Recovery filter suffered similar rates of various failures and discussing the fialures of the Recovery is directly related to the GZ/GZX/Edipse. Any predjudice is not unfair.
O'Quinn, Shari Allen 10/21/2019	210:05-210:25	Sustain	This violates the Court's ruling on Recovery migration deaths. The testimony from 132 - 140 does relate to this document and does not open the door to death and the testimony can be offered in context without that destinony. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value regouverighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to desirelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the DA approved their handling of the lissues which is not an accurate depiction of the events. The testimony was offered by this withess as the former director of reguatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is transparaent with the FDA re: the migration issues rekated to the retrievable filter design. It is highly relevant, and probative of Bard's conduct with regard to the design of thefutre devices e-including the Eclipse and warnings it gave regarding it retreievable filters that Bard did not share information regarding the recovery deaths with the witness.
O'Quinn, Shari Allen 10/21/2019	211:01-211:11	Sustain	This violates the Court's ruling on Recovery migration deaths. The testimony from 132 - 140 does relate to this document and does not open the door to death and the testimony an be offered in context without that certification. The door to death and the testimony does not involve filter at issue testimony. Rules 401, 402, 403. Testimony does not involve filter at issue outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to desirrelevant and prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 outweighed by prejudicial effect. Rules 702/703. Opinion is in admissible because there is no proper foundation.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the FDA approved their handling of the issues which is not an accurate depiction of the events. The testimony was offered by this witness as the former director of reguatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is crasparaent with the FDA re: the migration issues rekated to the retravable filter design. It is highly relevant, and probative of Bard's conduct with regard to the design of theirtre devices eaincuding the Eclipse and warnings it gave regarding it retreievable filters that Bard did not share information regarding the recovery deaths with the witness.
O'Quinn, Shari Allen 10/21/2019	n 211:13-211:17	Sustain	This violates the Court's ruling on Recovery migration deaths. The testimony from 132 - 140 does relate to this document and does not open the door to death and the testimony can be offered in context without that testimony. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value of amages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 702/703. Opinion is in admissible because there is no proper foundation.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including grephalad migration and death. The offered testimony from Bard seaks to imply the FDA approved their handling ot the issues which is not an accurate depiction of the events. The testimony was offered by this witness as the former director of reguatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is remanareant with the FDA re: the migration issues rekared to the retrievable filter design. It is highly relevant, and probative of Bard's conduct with regard to the edesign of theture devices earliculding the Eclipse and warnings it gave regarding it retreievable filters that Bard did not share information regarding the recovery deaths with the witness.

PL COUNTER	O'Quim, Shari Allen 10/21/2019	211:19-211:20	Sustain	RESPONSES 10 USEC. ILLUNA Relack 901, 403. 403. Testimony does not involve filter at issue and/or related to the relevant and any probative value outweighed by regarding all forms of migration and death. The offered testimony from Bard seeks to imply regarding all forms of migration and death. The offered testimony from Bard seeks to imply the FDA approved their handling or the issues which is not an accurate depiction or treated to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 403, 403. Testimony regarding Sales/Marketing does not relate to the design of thefute devices e-including the Eclipse and warnings it gave regarding admissible because there is no proper foundation.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the FDA approved their handling of the issues which is not an accurate depiction of the events. The testimony was offered by this witness as the former director of reguatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is transparaent with the FDA et: the migration issues rekated to the retrievable filter design. It is highly relevant, and probative of Bard's conduct with regard to the design of thefutre devices e-including the Eclipse and warnings it gave regarding it retreevable filters that Bard did not share information regarding the recovery deaths with the witness.
PL COUNTER	O'Quinn, Shari Allen 10/21/2019	211:22-211:25	Sustain	This violates the Court's ruling on Recovery migration deaths. The testimony from 132 - 140 does relate to this document and does not open testimony from 132 - 140 does relate to this document and does not open testimony from 132 - 140 does relate to this document and does not open testimony from 132 - 140 does relate to this document and does not open testimony. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial evidence regarding Bard's conduct related to the retrievable filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Testimony from Bard seeks to imply regarding all forms of migration and each seeks to imply the FDA restimony was offered by this withers as a the former director regulatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is transparent with the FDA res the migration issues rekated to the retrievable filter design of thefutre devices e-including the Eclipse and warnings it gave regarding the recovery prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the DA approved their handling of the issues which is not an accurate depiction of the events. The testimony was offered by this witness as the former director of regulatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is transparent with the FDA re: the migration issues rekated to the retrievable filter design. It is highly relevant, and probative of Bard's conduct with regard to the design of thefutre devices e-including the Eclipse and warnings it gave regarding it retreievable filters that Bard did not share information regarding the recovery deaths with the witness.
PL COUNTER	O'Quinn, Shari Allen 10/21/2019	212:01-212:07			
PL COUNTER	O'Quinn, Shari Allen 10/21/2019	212:12-212:14	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 702/703. Opinion is in admissible because there is no proper foundation.	Testimony offered by Bard from 132 08 to 143:02 opens the door to testimony regarding all forms of migration and consequences of migration including cephalad migration and death. The offered testimony from Bard seeks to imply the DA approved their handling of the issues which is not an accurate depiction of the events. The testimony was offered by this witness as the former director of regulatory and clinical affairs for Bard from 2003 to 2007 to imply Bard is transparent with the FDA re: the migration issues rekated to the retrievable filter design. It is highly relevant, and probative of Bard's conduct with regard to the design of thefutre devices e-including the Eclipse and warnings it gave regarding it retrievable filters that Bard did not share information regarding the recovery deaths with the witness. Bard has offered testimony from the witness regarding its DFMEA analysis, 136:16-137:20.
PL COUNTER	O'Quinn, Shari Allen 10/21/2019	213:01-213:08			

DEPONENT ji-Kubba, Abit	DEPONENT Raji-Kubba, Abithal	DESIGNATIONS 9:07-9:10	RULING	OBJECTION	RESPONSES TO OBJECTIONS
Raji-Kubba, Abithal	1	14:01-14:13			
0//18/2016 Raji-Kubba, Abithal 07/18/2016	_	18:10-20:08	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Raji-Kubba, Abithal 07/18/2016	-a	75:09-77:03			
Raji-Kubba, Abithal 07/18/2016	_	77:13-77:14			
Raji-Kubba, Abithal 07/18/2016	Б	77:15-78:12	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Raji-Kubba, Abithal 07/18/2016	_	78:13-79:05			
Raji-Kubba, Abithal 07/18/2016	le a	79:06-79:16	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Raji-Kubba, Abithal	В	79:17-79:24			
Raji-Kubba, Abithal	-B	80:02-80:04			
Raji-Kubba, Abithal 07/18/2016	la	80:08-80:13			
Raji-Kubba, Abithal 07/18/2016	lal	89:13-89:15	Overrule	FRE 602; calls for speculation. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testinony, in the name of fairness, must be considered at the same frim as Paintiff's designation.	
Raji-Kubba, Abithal 07/18/2016	nal	89:17-89:22	Overrule	FRE 602; calls for speculation. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Paintiff's designation.	
Raji-Kubba, Abithal 07/18/2016	lal	89:24-90:04	Sustain	Rule 804-hearsay-the question relates to medical article marked as exhibit on page 83. Also 602-witness does not have knowledge. See 89:13-15 and 17-22	The witness has established the necessary knowledge to discuss this article.
Raji-Kubba, Abithal 07/18/2016	la l	98:03-98:08			
Raji-Kubba, Abithal 07/18/2016	lal	115:01-115:09			
Raji-Kubba, Abithal 07/18/2016	hal	115:10-115:12	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Raji-Kubba, Abithal 07/18/2016	Jal	115:13-115:18			
Raji-Kubba, Abithal 07/18/2016	hal	115:19-116:01	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
Raji-Kubba, Abithal 07/18/2016	lal	116:02-117:14			
Raji-Kubba, Abithal 07/18/2016	hal	117:16-117:21			
Raji-Kubba, Abithal 07/18/2016	hal	117:22-118:05	Overrule	Non-responsive. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testinony, in the name of fairness, must be considered at the same time as plaintiff cheismation.	
Raji-Kubba, Abithal 07/18/2016	lal	122:23-123:04	Overrule	Rule 401, 402 and 403 and 804- the document discusses a medical articlae about another filter.	
Raji-Kubba, Abithal 07/18/2016	lal	128:08-128:25	Overrule	FRE 402, 403, 602. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as plaintiff's clearnation.	
Raji-Kubba, Abithal 07/18/2016	hal	129:02-129:03	Overrule	fre 602; FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as	
91.81	1			Plaintiff's designation.	212

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONS	RESPONSES TO OBJECTIONS
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	129:14-130:07	Overrule	а	The testimony of the witness reveals his first-hand knowledge of the subject matter of inquiry. His testimony is relevant to the Eclipse and all prior G2 designs
				medical article and offering the infroamtion for the truth of the matter asserted.	as they are narly identicle in design and failure.
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	131:23-132:11			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	160:04-160:06			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	161:22-161:23			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	162:02-162:11			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	162:16-163:03			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	167:11-168:02			
DEF COUNTER	Raji-Kubba, Abithal 07/18/2016	168:09-168:12	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this restimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Raji-Kubba, Abithal 07/18/2016	169:16-170:03	Overrule	Hearsay;RE 602. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the ename of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Raji-Kubba, Abithal 07/18/2016	174:16-176:12	Overrule	Non-responsive. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Raji-Kubba, Abithal 07/18/2016	178:02-178:10	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this restimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	204:12-204:21			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	204:25-205:19			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	205:21-206:04			
PL AFFIRM	Raji-Kubba, Abithal 07/18/2016	227:20-227:23 Beginning with "Was"			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Randall, Mike	23:16-23:24			
	01/18/2017				
PL AFFIRM	Randall, Mike	24:02-24:05			
	01/18/2017				
PL AFFIRM	Randall, Mike	24:08-24:11			
	01/18/2017				
PL AFFIRM	Randall, Mike	71:17-71:18	Overrule	Vague and ambiguous-testiomony is about a subsequent remdial measure . Rule Te	Testimony helps to establish that the G2, G2X, Eclipse, Meridian are all the same
	01/18/2017	Start at "and it"		407 filt	filter with minor changes. Remdial measures are not discussed
PL AFFIRM	Randall, Mike	72:03-72:11	Overrule	Vague and ambiguous-testiomony is about a subsequent remdial measure . Rule Te	Testimony helps to establish that the G2, G2X, Eclipse, Meridian are all the same
	01/18/2017			407 filt	filter with minor changes. Remdial measures are not discussed
PL AFFIRM	Randall, Mike	126:25-127:06	Overrule	Vague and ambiguous-testiomony is about a subsequent remdial measure . Rule Te	Testimony speaks to the limitations of Bard's premarket testing.
	01/18/2017			407. Counsel is reading from an exhibit that is not in evidence	
PL AFFIRM	Randall, Mike	128:14-128:17			
	01/18/2017				
PL AFFIRM	Randall, Mike	129:01-129:04			
	01/18/2017				
DEF COUNTER	Randall, Mike	129:05-129:08			
	01/18/2017				
PL AFFIRM	Randall, Mike	129:05-129:10			
	01/18/2017				
DEF COUNTER	Randall, Mike	129:23-130:17	Sustain	Expert testimony by a lay witness. Mr. Randall admits in the designation that he is	
	01/18/2017			not an expert in endurance testing or limits.	
PL AFFIRM	Randall, Mike	130:18-130:24			
	01/18/2017				
DEF COUNTER	Randall, Mike	131:05-132:09	Overrule	Expert testimony by a lay witness. Mr. Randall admits in the designation that he is	
	01/18/2017			not an expert in endurance testing or limits.	
PL AFFIRM	Randall, Mike	145:23-146:06			
	01/18/2017				
PL AFFIRM	Randall, Mike	182:20-182:23			
	01/18/2017				
PL AFFIRM	Randall, Mike	183:07-183:12			
	01/18/2017				

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Randall, Mike 02/02/2017	07:04-07:08			
PL AFFIRM	Randall, Mike 02/02/2017	07:12-07:17			
DEF COUNTER	Randall, Mike 02/02/2017	7:25-9:25	Sustain as to 7:25 and 8:1- 8:24	7:25 - Answer without a question. 8:1-8:24 - relevance. This instruction is not appropriate for trial.	
PL AFFIRM	Randall, Mike 02/02/2017	10:01-10:13			
PL AFFIRM	Randall, Mike 02/02/2017	11:04-11:10			
PL AFFIRM	Randall, Mike 02/02/2017	12:03-12:07 begin at Are there			
PL AFFIRM	Randall, Mike 02/02/2017	25:03-25:20			
DEF COUNTER	Randall, Mike 02/02/2017	25:21-26:08			
PL AFFIRM	Randall, Mike 02/02/2017	45:11-45:15			
PL AFFIRM	Randall, Mike 02/02/2017	47:24-48:06			
PL AFFIRM	Randall, Mike 02/02/2017	48:08-48:10			
PL AFFIRM	Randall, Mike 02/02/2017	72:21-72:22			
PL AFFIRM	Randall, Mike 02/02/2017	72:24-73:13			
DEF COUNTER	Randall, Mike 02/02/2017	73:14-74:04			
PL AFFIRM	Randall, Mike 02/02/2017	86:13-86:20 begin at Would vou			
PL AFFIRM	Randall, Mike 02/02/2017	88:06-88:14 begin at would			
DEF COUNTER	Randall, Mike 02/02/2017	87:01-87:02			
DEF COUNTER	Randall, Mike 02/02/2017	87:04-87:06			
DEF COUNTER	Randall, Mike 02/02/2017	87:11-88:02			
PL AFFIRM	Randall, Mike 02/02/2017	88:20-88:24			
PL AFFIRM	Randall, Mike 02/02/2017	89:01-89:05			
PL AFFIRM	Randall, Mike 02/02/2017	89:09-89:16			
PL AFFIRM	Randall, Mike 02/02/2017	93:16-93:19 begin at One of the			
PL AFFIRM	Randall, Mike 02/02/2017	94:15-94:17	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. There is no evidence of migration to the heart in this case	Migration is at issue in this case as Mr. Peterson's filter migrated. The line of questions is about all filters that Bard has developed, manufactured and sold. See 92:3-92:8. The references are not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not excluded all references to cephalad migration only the cases of death. (MDL Doc.
PL AFFIRM	Randall, Mike 02/02/2017	94:19-94:25			
PL AFFIRM	Randall, Mike 02/02/2017	95:20-95:24			
PL AFFIRM	Randall, Mike 02/02/2017	95:25-96:02 begin at Would vou			
PL AFFIRM	Randall, Mike 02/02/2017	96:04-96:05			
PL AFFIRM	Randall, Mike 02/02/2017	99:11-99:13			
PL AFFIRM	Randall, Mike 02/02/2017	99:20-100 06			
PL AFFIRM	Randall, Mike 02/02/2017	103:01-103:06	Overrule	Rule 401, 402 and 403. Rules 801/802 hearsay	Plaintiff's Expert has opined that Mr. Peterson's filter had migrated from the 2.2 cm and the testimony is therefore relevant. The document also shows that Bard artificially deflated their complication numbers. The document is a public record oxion.
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Randall, Mike 02/02/2017	105:06-105:12	Overrule	Rule 401, 402 and 403. Rules 801/802 hearsay	Plaintiff's Expert has opined that Mr. Peterson's filter had migrated from the 2.2 cm and the testimony is therefore relevant. The document also shows that Bard artificially deflated their complication numbers. The document is a public record 803.8N
PL AFFIRM	Randall, Mike 02/02/2017	105:14-105:18	Overrule	Rule 401, 402 and 403. Rules 801/802 hearsay	Plaintiff's Expert has opined that Mr. Peterson's filter had migrated from the 2.2 cm and the testimony is therefore relevant. The document also shows that Bard artificially deflated their complication numbers. The document is a public record 803(8).
PL AFFIRM	Randall, Mike 02/02/2017	112:15-112:19 begin at So the	Overrule	Rule 401, 402 and 403. Rules 801/802 hearsay	Plaintiff's Expert has opined that Mr. Peterson's filter had migrated from the 2.2 cm and the testimony is therefore relevant. The document also shows that Bard artificially deflated their complication numbers. The document is a public record 803.80.
PL AFFIRM	Randall, Mike 02/02/2017	114:23-115:10	Overrule	Rule 401, 402 and 403. Rules 801/802 hearsay	Palantif's Expert has opined that Mr. Peterson's filter had migrated from the 2.2 cm and the testimony is therefore relevant. The document also shows that Bard artificially deflated their complication numbers. The document is a public record spas.
PL AFFIRM	Randall, Mike 02/02/2017	115:15-115:22 begin at I've	Overrule	Rule 401, 402 and 403. Rules 801/802 hearsay	Plaintiff's Expert has opined that Mr. Peterson's filter had migrated from the 2.2 cm and the testimony is therefore relevant. The document also shows that Bard artificially deflated their complication numbers. The document is a public record sorator.
DEF COUNTER	Randall, Mike 02/02/2017	115:24-116:03 Subject to objection			
DEF COUNTER	Randall, Mike 02/02/2017	116:05-116:20 Subject to objection			
PL AFFIRM	Randall, Mike 02/02/2017	204:09-204:23 begin at Mr. Randall	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705-15-205-25.
DEF COUNTER	Randall, Mike 02/02/2017	205:02-205:03 Subject to objection	Overrule	Answer without a question	
PL AFFIRM	Randall, Mike 02/02/2017	205:15-205:25 begin at And what	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Edipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25.
PL AFFIRM	Randall, Mike 02/02/2017	206:13-206:23 begin at This Idea	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this indicriment was at 705-15-205-35.
DEF COUNTER	Randall, Mike 02/02/2017	206:24-207:02 Subject to objection			designation for the section of the s
PL AFFIRM	Randall, Mike 02/02/2017	207:07-207:08	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Edipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705-15-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	207:10-207:11	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Edipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this indictionary was at 2051-5-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	207:16-207:24	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Edipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this reformment was at 705-15-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	209:17-210:25 begin at the complications	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this indocriment was at 2051-5.205-35.
PL AFFIRM	Randall, Mike 02/02/2017	211:17-212:07 begin at So you're	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this reformment was at 2015-15, 2015-35.
PL AFFIRM	Randall, Mike 02/02/2017	212:11-212:17	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Edipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205:15-205;25.
PL AFFIRM	Randall, Mike 02/02/2017	215:17-215:24 begin at But my point	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25.

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Randall 2.2.17

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Randall, Mike 02/02/2017	216:02-216:04	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there awa issue with their current line of filters. The witness explained exactly what this document was at 705:15-205:25
PL AFFIRM	Randall, Mike 02/02/2017	216:06-216:10	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there as issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25
PL AFFIRM	Randall, Mike 02/02/2017	217:03-217:08 begin at So at the time	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705-15-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	219:11-219:24 begin at I want to	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this rhoriment was at 705-14-206-35.
PL AFFIRM	Randall, Mike 02/02/2017	220:18-220:21	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705:15-205:35.
PL AFFIRM	Randall, Mike 02/02/2017	220:23-220:25	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this chorument was at 705-15-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	221:10-221:12	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705:15-205:25.
DEF COUNTER	Randall, Mike 02/02/2017	225:08-225:11 Subject to objection			
DEF COUNTER	Randall, Mike 02/02/2017	225:13-225:23 Subject to objection			
PL AFFIRM	Randall, Mike 02/02/2017	225:24-226:08 begin at But if it's	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25
DEF COUNTER	Randall, Mike 02/02/2017	226:11-226:14 Subject to objection			
DEF COUNTER	Randall, Mike 02/02/2017	226:16-226:18 Subject to objection			
PL AFFIRM	Randall, Mike 02/02/2017	227:17-227:20 begin at and that is	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705-15-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	227:22-227:24	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25.
PL AFFIRM	Randall, Mike 02/02/2017	228:07-228:25 begin at The next	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705:12-505:25
PL AFFIRM	Randall, Mike 02/02/2017	229:02-229:03	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705-15-205-35.
PL AFFIRM	Randall, Mike 02/02/2017	230:23-231:15 begin at page	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 705:15-205:25.
PL AFFIRM	Randall, Mike 02/02/2017	232:03-232:10 begin at The next paragraph	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205; 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there as issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25.
PL AFFIRM	Randall, Mike 02/02/2017	233:14-234:01 begin at It says	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205.15-205.25.

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Randall, Mike 02/02/2017	234:03-234:04	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this decrease in an exactly what this
PL AFFIRM	Randall, Mike 02/02/2017	235:20-235:23	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	deturnent was 4 CLALL 1-CAD. The Testion of the CLALL school before Ms. The testion of shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was stsue with their current line of filters. The witness explained exactly what this decriment was at 20 cts 20 cts 20.
PL AFFIRM	Randall, Mike 02/02/2017	235:25-236:01	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 20 cs. 3 Cs.
PL AFFIRM	Randall, Mike 02/02/2017	236:17-236:25	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 2013-15.
PL AFFIRM	Randall, Mike 02/02/2017	237:10-237:15			WALLINGTON OR AUGUST 2000 CO.
PL AFFIRM	Randall, Mike 02/02/2017	240:05-240:14	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal knowledge of the document. See 205: 2-3	The testimony shows that Bard knew ways to improve their filter long before Ms. Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was issue with their current line of filters. The witness explained exactly what this document was at 205.15-206.55.
DEF COUNTER	Randall, Mike 02/02/2017	241:15-241:17 Subject to objection			
DEF COUNTER	Randall, Mike	241:19-242:05 Subject to objection			
PL AFFIRM	Randall, Mike 02/02/2017	242:12-242:25			
PL AFFIRM	Randall, Mike 02/02/2017	243 02			
DEF COUNTER	Randall, Mike 02/02/2017	243:19-244:01 Subject to objection			
PL AFFIRM	Randall, Mike 02/02/2017	244:15-244:25			
PL AFFIRM	Randall, Mike 02/02/2017	245:15-245:21			
PL AFFIRM	Randall, Mike 02/02/2017	246:09-246:20			
PL AFFIRM	Randall, Mike 02/02/2017	247:02-247:05			
PL AFFIRM	Randall, Mike 02/02/2017	247:17-247:21			
PL AFFIRM	Randall, Mike 02/02/2017	248:19-248:22 hegin at Penetration			
PL AFFIRM	Randall, Mike 02/02/2017	249:23-251:01			
PL AFFIRM	Randall, Mike 02/02/2017	251:24-252:03			
PL AFFIRM	Randall, Mike 02/02/2017	252:05-252:13			
PL AFFIRM	Randall, Mike 02/02/2017	260:25-261:01			
PL AFFIRM	Randall, Mike 02/02/2017	261:03-261:10			
PL AFFIRM	Randall, Mike 02/02/2017	261:12-261:18			
PL AFFIRM	Randall, Mike 02/02/2017	261:20-261:22			
DEF COUNTER	Randall, Mike 02/02/2017	262:02-262:04 Subject to objection			
DEF COUNTER	Randall, Mike 02/02/2017	262:07-262:17 Subject to objection			
DEF COUNTER	Randall, Mike 02/02/2017	262:23-263:05 Subject to objection			
PL AFFIRM	Randall, Mike 02/02/2017	268:17-269:02 begin at the bottom line			
PL AFFIRM	Randall, Mike 02/02/2017	269:04-269:08			

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Randall, Mike	269:19-269:23	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal	The testimony shows that Bard knew ways to improve their filter long before Ms.
	02/02/2017			knowledge of the document. See 205: 2-3	Peterson was implanted with his Eclipse filter. Also shows that Bard knew there
					was issue with their current line of filters. The witness explained exactly what this document was at 205:15-205:25
PL AFFIRM	Randall, Mike	269:25-270:01	Overrule	Rule 601/602 and 612-there is no indication that the witness has personal	The testimony shows that Bard knew ways to improve their filter long before Ms.
	02/02/2017			knowledge of the document. See 205: 2-3	Peterson was implanted with his Eclipse filter. Also shows that Bard knew there was itself with their current line of filters. The without any single was itself as a set by what this
					document was at 205:15-205:25
PL AFFIRM	Randall, Mike 02/02/2017	275:04-275:09			
PL AFFIRM	Randall, Mike	275:15-275:19			
DEF COUNTER	Randall. Mike	275:20-275:22	Sustain	Speculation. lack of foundation. hearsay	
	02/02/2017				
DEF COUNTER	Randall, Mike	275:24-276:19	Sustain	Speculation, lack of foundation, hearsay	
	02/02/2017				
PL AFFIRM	Randall, Mike	292:20-292:22			
	02/02/2017				
PL AFFIRM	Randall, Mike	293:07-293:12			
	02/02/2017				
PL AFFIRM	Randall, Mike	293:18-293:25			
	02/02/2017	begin at I think			
PL AFFIRM	Randall, Mike	294:13-295:03	Sustain	Rule 401, 402 and 403-Bard's revenue are not at issue. There is no claim for	Testimony explains why Bard kept a defective prodcut on the market when they
	02/02/2017			punitive damages	knew it was defective and they knew how to address some of the defects.
PL AFFIRM	Randall, Mike	296:05-296:17	Sustain	Rule 401, 402 and 403-Bard's revenue are not at issue. There is no claim for	Testimony explains why Bard kept a defective prodcut on the market when they
	02/02/2017	begin at If Bard did		punitive damages	knew it was defective and they knew how to address some of the defects.
PL AFFIRM	Randall, Mike 02/02/2017	297:18-297:24	Sustain	Rule 401, 402 and 403-Bard's revenue are not at issue. There is no claim for punitive damages	Testimony explains why Bard kept a defective prodcut on the market when they knew it was defective and they knew how to address some of the defects.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Randall, Mike 10/03/2018	2716:03-2721:22	Overrule	2716:14-2716:118: 403; 2717:13-2717;44. Relevance; 2719:10-2720:12 - Lack of froudation. The foundation for this witness to testify to such marter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer no testimony regarding regarding training or specialized knowledge in anatomy, physiology, hemodynamic, or fluid dynamics.	This is all information about the witness' work and education history and involement with IVC filters. The objection was not raised at the time of the testimony.
DEF AFFIRM	Randall, Mike	2722:22-2723:08			
DEF AFFIRM	Randall, Mike	2723:22-2724:12			
DEF AFFIRM	Randall, Mike 10/03/2018	2724:19–2725:19	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer no testimony regarding regarding training or specialized wouldge in anatomy, physiology, hemodynamic, or fluid dynamics. Additionally, Mr. Randall has not demonstrated that he is qualified to opine on filters from other manufacturers. Not properly disclosed and Plaintiff did not have proper notice that this witness would discuss filters from other manufacturers.	The witness is explaining a document he used, understood and relied on during his work at Bard on IVC filters. The objection was not made at the time of the testimony. Plaintiff's counsel was present at the time of the testimony and conducted the cross examination. Plaintiff's counsel was present at the time of the testimony and conducted the cross examination.
DEF AFFIRM	Randall, Mike 10/03/2018	2726:13–2726:17 starting at "This is the G2 type and ending at "inverted cone."	Overrule	Mr. Randall has not demonstrated that he is qualified to opine of filter from other manufacturers. Not properly disclosed and Plaintiff did not have proper notice that this witness would discuss filters from other manufacturers.	He is simply explaining the shapes of filters that he has reviewed and examined during his career at Bard. Plaintiff's counsel was present at the time of the testimony and conducted the cross examination.
DEF AFFIRM	Randall, Mike 10/03/2018	2726:20-2727:14	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer on testimony regarding training or specialized wordege in anatomy, physiology, hemodynamic, or fluid dynamics. Additionally, Mr. Randall has not demonstrated that he is qualified to opine on filters from other manufacturers. Not properly disclosed and Plaintiff did not have proper notice that this witness would discuss filters from other manufacturers.	Again, Mr. Randall is explaining information he knows, learred while working on IVC filters and used during the course of his employment. Plaintiff's counsel was present at the time of the testimony and conducted the cross examination. No objection was made at the time of the testimony.
DEF AFFIRM	Randall, Mike 10/03/2018	2727:16-2729:05	Overrule	Lack of foundation. The foundation for this witness to testify to such matter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer not estimony regarding regarding training or specialized knowledge in anatomy, physiology, hemodynamic, or fluid dynamics. Additionally, Mr. Randall has not demonstrated that he is qualified to opine on filters from other manufacturers. Not properly disclosed and Plaintiff did not have proper notice that this witness would discuss filters from other manufacturers.	Again, Mr. Randall is explaining information he knows, learred while working on IVC filters and used during the course of his employment. Plaintiff's counsel was present at the time of the testimony and conducted the cross examination. No objection was made at the time of the testimony.
DEF AFFIRM	Randall, Mike 10/03/2018	2729:06–2929:19 starting with "could you"			
DEF AFFIRM	Randall, Mike 10/03/2018	2729:20–2730 01 starting with "would you"			
DEF AFFIRM	Randall, Mike 10/03/2018	2730:13–2731:12 starting with "based on the"			
DEF AFFIRM	Randall, Mike 10/03/2018	2731:15 starting with "can you tum"			
DEF AFFIRM	Randall, Mike 10/03/2018	2731:18-2732:07	Overrule	2731:21-2732:2 - Relevance	This is relevant the balancing test for design defect.
DEF AFFIRM	Randall, Mike 10/03/2018	2732:08–2732:11 starting with "are you aware"	Sustain	FRE 106 - adding "As of today, in October of 2018"	
DEF AFFIRM	Randall, Mike 10/03/2018	2732:12-2732:15 starting with "are you aware"	Sustain	FRE 106 - adding "As of today, in October of 2018"	
DEF AFFIRM	Randall, Mike 10/03/2018	2732:16–2732:18 starting with "are you aware"	Sustain	FRE 106 - adding "As of October 2018"	
DEF AFFIRM	Randall, Mike 10/03/2018	2832:19–2832:21 starting with "are you aware"			
DEF AFFIRM	Randall, Mike 10/03/2018	2733:05-2733:07			
	Randall, Mike 10/03/2018	2733:25-2735:12	Overrule	2735:5-2735:12 - Relevance	Relevant to show the nature of the test, that the animals move and are not static. Movement impacts the activit of the inferior vena cava.
DEF AFFIRM Randall 10 3	Randall, Mike 10/03/2018 1	2735:13–2736:02 starting with "would you"			220

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RESPONSES TO OBJECTIONS																	This is relevant the balancing test for design defect, and the ability to create an alternative design.														
OBJECTION																	2748:20-2752: - Relevance. The two products discussed were never put on the market by Bard.														
RULING																	Overrule														
DESIGNATIONS	2736:13 stopping at "page"	2736:15–2736:17 stopping at "page"	2736:18–2738 09	2738:10–2738:23 starting with "would"	2739:06	2739:09–2739:11	2739:12–2740 01 starting with can you"	2740:02-2741:11 starting with "could you"	2741:12-2741:24 starting with "could you"	2742:15-2742:17	2742:23–2743 01	2743:08-2744:16	2744:18–2746 06	2746:14–2747 05 starting with "could you"	2747:10–2747:18	2747:19–2748 01 starting with "would you"	2748:13–2753 01	2753:05-2753:06	2753:07–2753:24 starting with "would you"	2754:05 starting with "could you"	2754:11–2755:11	2755:12–2755:23 starting with "can we"	2756:02–2756:11	2756:13–2757 01 starting with "could you"	2757:10–2758:13	2758:14–2759:05 starting with Could we"	2759:07–2759:16 starting with "can vou"	2759:25–2760 02	2760:03–2760:17 starting with "could you"	2760:18–2761 06 starting with "can you"	2761:14–2762:10 starting with "If we could"
DEPONENT	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	10/03/2018 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	Randall, Mike 10/03/2018	18
DESIGNEE	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM	DEF AFFIRM Randall 10 3

Randall, Mike 2762:17-2766:02 10/03/2018 Randall, Mike 2765:07-2767:02 10/03/2018 Randall, Mike 2767:19-2768:07 10/03/2018 Randall, Mike 2767:19-2768:07 10/03/2018 Randall, Mike 2767:19-2768:07 10/03/2018 Randall, Mike 270:12-2770:15 10/03/2018 Randall, Mike 2770:12-2770:11 10/03/2018 Randall, Mike 2770:12-2771:01 10/03/2018 Randall, Mike 2771:16-2771:12 10/03/2018 Randall, Mike 2771:16-2771:12 10/03/2018 Randall, Mike 2771:18-2771:21	5:02 Overrule 5:07 5:07 5:01 5:01 5:03 5:04 5:04 5:05 5:05 5:05 5:05 5:05 5:05	2766:3-3766:12 - Relevance. Testimony about another Plaintiff is confusing. The Meridian 510K submission date is not relevant to this case. 2766:17-2766:24 - Foundation. The foundation for this witness to testify to such matter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer no testimony regarding regarding training or specialized knowledge in anatomy, physiology, hemodynamic, or fluid dynamics. 2766:25-2767:2- Relevance. Defendants are trying to suggest that they are a responsible company by abandoning projects after. 2766:3-3766:12 - Relevance. Testimony about another Plaintiff is confusing. The Meridian 510K submission date is not relevant to this case. 2766:17-2766:24 - Foundation. The foundation for this witness to testify to such matter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer no testimony regarding regarding regarding training or specialized knowledge in	
		2766:3-3766:12 - Relevance. Testimony about another Plaintiff is confusing. The Meridian 510K submission date is not relevant to this case. 2766:17-2766:24 - Foundation. The foundation for this witness to testify to such matter has not been established. Mr. Randall is not a bio-medical engineer, he is not a medical doctor, he has offer no testimony regarding regarding training or specialized knowledge in	
	07 18 19u" 15 15 24 24 24	anatomy, physiology, hemodynamic, or fluid dynamics. 2766:25-2767:2- Relevance. Defendants are trying to suggest that they are a responsible company by abandoning projects after	
	18 0u" 15 15 3s" 01 12 12 24		
	15 15 15 01 12 24 11		
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Randall, Mike 2774:15-2775:22 10/03/2018	22		
Randall, Mike 2775:25-2776:03	03		
Randall, Mike 2776:04-2776:07 10/03/2018	07		
Randall, Mike 2776:08-2776:11 10/03/2018	11		
2779:03-2779:05 10/03/2018	05		
Randall, Mike 2779:06-2779:16 10/03/2018	16		
Randall, Mike 2781:06-2781:21	21		
Randall, Mike 2781:25-2782:06 10/03/2018	90		
Randall, Mike 2782:16-2782:21 10/03/2018	21 Sustain	Starting with an answer to a question that was not designated.	
Randall, Mike 2783:02-2783:18	18		
Randall, Mike 2784:02-2784:08	80		
Randall, Mike 2784:15-2784:25	25		
	25		
10/03/2018 2789:02-2789:07	07		
10/03/2018 Randall, Mike 2789:08-2789:19	19		
10/03/2018 2789:23-2790:17 10/03/2018	17		
Randall, Mike 2790:23-2791:10	10		

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	O OBJECTIONS
DEF COUNTER TO	Randall, Mike	2791:11-2791:13			
COUNTER	10/03/2018				
PL COUNTER	Randall, Mike	2792:07-2792:10			
	10/03/2018				
PL COUNTER	Randall, Mike	2792:15-2792:19			
	10/03/2018	Starting with "But Bard"			
DEF COUNTER TO	Randall, Mike	2793:07-2973:09			
COUNTER	10/03/2018				
DEF AFFIRM	Randall, Mike	2793:23–2794 05			
	10/03/2018				
DEF COUNTER TO	Randall, Mike	2797:13-2798:15			
COLINITED	0100/00/01				

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Rogers, Frederick 07/18/2017	6:03-6:04			
PL AFFIRM	Rogers, Frederick 07/18/2017	46:06-46:09			
PL AFFIRM	Rogers, Frederick 07/18/ 2017	46:23-47:04	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve a situation where a filter was placed as a result of a traumandared initial.	Foundation testimony
PL AFFIRM	Rogers, Frederick 07/18/2017	60:22-60:25			
PL AFFIRM	Rogers, Frederick 07/18/2017	61:08-61:25			
PL AFFIRM	Rogers, Frederick 07/18/ 2017	101:17-101:23	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at Issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifessaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	101:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	102:02-102:07			
DEF COUNTER	Rogers, Frederick 07/18/2017	102:09-102:12			
PL AFFIRM	Rogers, Frederick 07/18/ 2017	106:10-106:14	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hazray.	Foundation testimony. The witness is designated as a non-retaned expert.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	106:18-106:23	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hazray.	Foundation testimony. The witness is designated as a non-retaned expert.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	107:01-107:13	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hazray.	Foundation testimony. The witness is designated as a non-retaned expert.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	108:23-108:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifeasing properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue. The witness is designated as a non-prepared received.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	109:05-109:06	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifeasing properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue. The witness is designated as a non-paranch event.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	110:04-110:06	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifeador to such restimony by presenting argument and evidence regarding the lifeador to such properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue. The witness is designated as a non-paranal average.
DEF COUNTER	Rogers, Frederick 07/18/2017	110:21-110:24			
DEF COUNTER	Rogers, Frederick 07/18/2017	111:01-111:12			

Rogers 7.18.17

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Rogers, Frederick 07/18/ 2017	111:18-112:03	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Interevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	112:05-112:07	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	112:12-112:16	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	113:19-114:23	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/2017	114:25-115:01	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	115:03-115:06			
PL AFFIRM	Rogers, Frederick 07/18/ 2017	117:04-118:05	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	11807	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/2017	118:09-118:12			
PL AFFIRM	Rogers, Frederick 07/18/2017	118:14-118:15			
PL AFFIRM	Rogers, Frederick 07/18/2017	118:17-118:23	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	118:25-119:05	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	119 07 (ending "Yes.")	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	119:07-119:11	Overrule	non-responsive after "yes"	

Rogers 7.18.17

DESIGNEE	DEPONENT	DESIGNATIONS	RIHING	OBJECTION	RESPONSES TO ORIECTIONS
PL AFFIRM	Rogers, Frederick 07/18/2017	119:13-119:24	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/2017	120 01	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	120:03-120:07			
DEF COUNTER	Rogers, Frederick 07/18/2017	120:09-120:21			
DEF COUNTER	Rogers, Frederick 07/18/2017	120:23-121:05			
PL AFFIRM	Rogers, Frederick 07/18/2017	123:08-123:11	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue. Foundation
PL AFFIRM	Rogers, Frederick 07/18/2017	123:14-123:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/2017	124 02	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/2017	124:04-124:21	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 801/802. Testimony is hearsay.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	124:22-125:02			
PL AFFIRM	Rogers, Frederick 07/18/2017	125:03-125:06			
PL AFFIRM	Rogers, Frederick 07/18/2017	125:08-125:18	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	125:19-125:22			
DEF COUNTER	Rogers, Frederick 07/18/2017	125:25-126:04			
PL AFFIRM	Rogers, Frederick 07/18/2017	126:06-126:10	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	126:12	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Rogers, Frederick 07/18/ 2017	126:14-126:16	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	126:19-126:20	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
PL AFFIRM	Rogers, Frederick 07/18/ 2017	126:22-127:01	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial.	Testimony is relevant to the risks and general lack of efficacy of the class of products at issue, including and especially the filter at issue. Defendants open the door to such testimony by presenting argument and evidence regarding the lifesaving properties of their filters. Further, evidence is relevant to the jury's assessment of the benefits of the filter at issue.
DEF COUNTER	Rogers, Frederick 07/18/2017	127:03-127:05	Overrule	Outside the scope of direct	
DEF COUNTER	Rogers, Frederick 07/18/2017	127:07-127:14	Overrule	Outside the scope of direct	
DEF COUNTER	Rogers, Frederick	127:16-128:02	Overrule	Calls for speculation; outside the scope of direct	

PL AFFIRM Schulz, Gin DEF COUNTER 01/30/2014 DEF COUNTER Schulz, Gin	Schulz, Gin	07			
	0/2014	13:17-13:18			
	Schulz, Gin 01/30/2014	24:11-24:17			
	Schulz, Gin 01/30/2014	26:11-26:13			
	Schulz, Gin	31:05-31:07			
	Schulz, Gin 01/30/2014	31:16-47:09			
DEF COUNTER Schul	Schulz, Gin 01/30/2014	49:04-49:07			
PL AFFIRM Schul	Schulz, Gin 01/30/2014	49:08-50:06			
PL AFFIRM Schul	Schulz, Gin	50:17-50:22			
PL AFFIRM Schul	Schulz, Gin	51:14-52:01			
PL AFFIRM Schul	Schulz, Gin 01/30/2014	54:01-54:21	Sustain	(54:19-54:21) Ms. Schulz retired from Bard several years ago.	54.19-54.21 If Defendants assertion is true Plaintiff will withdraw this testimony.
DEF COUNTER Schul	Schulz, Gin 01/30/2014	56:04-56:07 at ""Do vou"""			
DEF COUNTER Schul	Schulz, Gin 01/30/2014	56:14-57:04	Overrule	FRE 611(b) - beyond the scope of the direct examination.	
PL AFFIRM Schul	Schulz, Gin	57:24-58:11			
	Schulz, Gin 01/30/2014	58:12-58:17	Overrule	FRE 611(b) - beyond the scope of the direct examination.	
DEF COUNTER Schul	Schulz, Gin 01/30/2014	59:01-59:12	Sustain as to including 58:20-58:24	FRE 611(b) - beyond the scope of the direct examination; FRE 106 - optional completeness - the witness's clarification and answer at lines 58:20-24 ought to be included	
DEF COUNTER Schul	Schulz, Gin	59:23-60:03	Overrule	FRE 611(b) - beyond the scope of the direct examination.	
DEF COUNTER Schul	Schulz, Gin	60:06-60:19	Overrule	FRE 611(b) - beyond the scope of the direct examination.	
	Schulz, Gin 01/30/2014	67:22-68:04			
DEF COUNTER Schul	Schulz, Gin 01/30/2014	68:05-68:22	Overrule	FRE 611(b) - beyond the scope of the direct examination.	
PL AFFIRM Schul	Schulz, Gin 01/30/2014	68:23-69:02			
DEF COUNTER Schul	Schulz, Gin 01/30/2014	69:09-69:23	Sustain	This is an answer without a question.	
PL AFFIRM Schul	Schulz, Gin 01/30/2014	69:24-71:12			
PL AFFIRM Schul	Schulz, Gin 01/30/2014	71:16-71:17			
PL AFFIRM Schul	Schulz, Gin 01/30/2014	71:21-72:24	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell hinch.	This testimony directly relates to Plaintiff failure to warn claim. This testimony is not what physicians would have wanted to know, instend this testimony is what information Bard elected to disclose and why that decision is made.
PL AFFIRM Schul	Schulz, Gin 01/30/2014	73:03	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell hinch.	This testimony directly relates to Plaintiff failure to warn claim. This testimony is not what physicians would have wanted to know, instend this testimony is what information Bard elected to disclose and why that decision is made.
DEF COUNTER Schul	Schulz, Gin 01/30/2014	77:22-78:01			
PL AFFIRM Schul	Schulz, Gin 01/30/2014	85:10-86:04	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 86:23-87:01	Defendants are mistating the witnesses testimony from 86:23-87:01. This testimony refers to the Simon Nitionol Filter. The witness clearly identifies that she knows what the 510K process is and what substantial equivalence is.
PL AFFIRM Schul 01/30	Schulz, Gin 01/30/2014	86:07-86:12	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 86:23-87:01	Defendants are mistating the witnesses testimony from 86:23-87:01. This testimony refers to the Simon Nitionol Filter. The witness clearly identifies that she knows what the 510K process is and what substantial equivalence is.
PL AFFIRM Schul	Schulz, Gin 01/30/2014	89:01-89:14			
Schulz, Gin Schulz	ılz, Gin 2/2014	90:08-90:15			228

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DEF COUNTER	Schulz, Gin	90:16-90:17	Overrule		
	01/30/2014			show that the eclipse was more fracture resistent. The studies showed that the wire has less stress applied to it.	
DEF COUNTER	Schulz, Gin 01/30/2014	90:20-91:09			
PL AFFIRM	Schulz, Gin 01/30/2014	101:23-102:12			
DEF COUNTER	Schulz, Gin 01/30/2014	101:23-103:03			
DEF COUNTER	Schulz, Gin 01/30/2014	103:06-104:12			
PL AFFIRM	Schulz, Gin 01/30/2014	104:14-104:23	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	This testimony does not invovled any particular filter, bust instead devices in general. Testimony discusses the needs of the device
PL AFFIRM	Schulz, Gin 01/30/2014	109:13-110:01	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony involves migration, which is at issue here and the testimony is not device specific.
PL AFFIRM	Schulz, Gin 01/30/2014	110:04-111:19	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony involves migration, which is at issue here and the testimony is not device specific.
PL AFFIRM	Schulz, Gin 01/30/2014	113:09-113:20			
PL AFFIRM	Schulz, Gin 01/30/2014	113:23-114:11			
DEF COUNTER	Schulz, Gin 01/30/2014	117:12-119:09			
PL AFFIRM	Schulz, Gin 01/30/2014	120:22-121:10			
PL AFFIRM	Schulz, Gin 01/30/2014	121:13-121:15			
PL AFFIRM	Schulz, Gin 01/30/2014	123:13-123:18			
DEF COUNTER	Schulz, Gin 01/30/2014	123:13-123:20			
PL AFFIRM	Schulz, Gin 01/30/2014	125:05-125:16			
PL AFFIRM	Schulz, Gin 01/30/2014	127:08-127:11			
PL AFFIRM	Schulz, Gin 01/30/2014	127:14			
PL AFFIRM	Schulz, Gin 01/30/2014	127:16-128:10			
PL AFFIRM	Schulz, Gin 01/30/2014	129:08-129:13	Overrule	Rule 401, 402. A questions without an answer is not evidence.	The answer is the following designation 129:16-129:24
PL AFFIRM	Schulz, Gin 01/30/2014	129:16-129:24			
PL AFFIRM	Schulz, Gin 01/30/2014	130:02-130:04			
PL AFFIRM	Schulz, Gin 01/30/2014	130:22-131:01			
PL AFFIRM	Schulz, Gin 01/30/2014	131:04-131:07			
PL AFFIRM	Schulz, Gin 01/30/2014	133:02-133:08			
PL AFFIRM	Schulz, Gin 01/30/2014	133:11			
DEF COUNTER	Schulz, Gin 01/30/2014	131:11-133:01	Sustain in part as to completeness	(133:21-133:1) FRE 401/402 (relevance); further, the designated lines are a statement by counsel not a question and do not constitute evidence.	
DEF COUNTER	Schulz, Gin 01/30/2014	135:01-135:04			
DEF COUNTER	Schulz, Gin 01/30/2014	135:07-136:02			
PL AFFIRM	Schulz, Gin 01/30/2014	144:16-144:19			
DEF COUNTER	Schulz, Gin 01/30/2014	145:11-145:20			
Schulz 1.30.14 p1/30/2014	Schulz, Gin 4 p1/ 30/2014	145:23-147:19	Overrule	(147:20-149:21) - Nonresponsive - objection & motion to strike at 149:22-23.	22.9

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PL AFFIRM	Schulz, Gin 01/30/2014	191:14-192:02	Overrule	Values 401, 402, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Band's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	This testimony goes to the ultimate issues in this case. Bard has a history of claiming substaintial equivalance between devices which in fact that is a lie. Further, Bard has a dafer alturnative design, the Simon Nitonol Filter, yet opted to push their dangerous "retrievable filters". This testimony goes to design defect
PL AFFIRM	Schulz, Gin 01/30/2014	192 05	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	This testimony goes to the ultimate issues in this case. Bard has a history of claiming substaintial equivalence between devices which in fact that is a lie. Further, Bard has a defer alturnative design, the Simon Nitonol Filter, yet opted to push their dangerous "retrievable filters". This testimony goes to design defect and fairned by ward their dangerous."
PL AFFIRM	Schulz, Gin 01/30/2014	198:01-198:06	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Intelevant and Unfairly preludicial. Rules 401, 402, 403. — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The water state state stablished he credintials to give this testimony for almost 200 pages. The fact that she can't think of a reason that a company would keep a dangerous product on the market is not evidence that she does not have personal knowledge. It just means that this is not a legitimate reason for such actions. Testimony goes to Plaintiff's claims.
PL AFFIRM	Schulz, Gin 01/30/2014	198 09	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The witness has established he credintials to give this testimony for almost 200 pages. The fact that she can't think of a reason that a company would keep a dangerous product on the market is not evidence that she does not have personal knowledge. It just means that this is not a legitimate reason for such actions. Testimony goes to Plaintiff's claims.
PL AFFIRM	Schulz, Gin	203:08-203:17			
PL AFFIRM	Schulz, Gin 01/30/2014	204:17-204:20			
PL AFFIRM	Schulz, Gin 01/30/2014	206:15-206:22			
PL AFFIRM	Schulz, Gin 01/30/2014	207:24-208:19			
EF COUNTER	Schulz, Gin 01/30/2014	208:24-209:04			
DEF COUNTER	Schulz, Gin 01/30/2014	209:07-209:10			
EF COUNTER	Schulz, Gin 01/30/2014	215:14-215:23			
EF COUNTER	Schulz, Gin 01/30/2014	216:02-216:08			
PL AFFIRM	Schulz, Gin 01/30/2014	216:17-216:21	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to warn.
PL AFFIRM	Schulz, Gin 01/30/2014	216:24-217:01	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard is conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff is punitive damages claim dismissed	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to warn.
PL AFFIRM	Schulz, Gin 01/30/2014	217:03-217:07	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to warn.
PL AFFIRM	Schulz, Gin 01/30/2014	217:11-217:20	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff so nuritive dampaes claim dismissed	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to warn.
DEF COUNTER	Schulz, Gin 01/30/2014	217:21-218:04			
DEF COUNTER	Schulz, Gin 01/30/2014	218:07-218:19	Sustain	(218.12-17): FRE 602/702: the witness lacks personal knowledge of whether filters "took the recurring PE rate down" and is not qualified to offer evidence on this topic. FRE 402/403: as explained in Plaintiffs' Omnibusa Motion in Limine, testimony that filters' 'prevent PEs" ought to be excluded because no such evidence exists for Bard's retrievable filter line. Further the testimony is non-	
PL AFFIRM	Schulz, Gin 01/30/2014	219:01-219:06			
PL AFFIRM	Schulz, Gin 01/30/2014	219:09-219:10			
PL AFFIRM	Schulz, Gin 01/30/2014	219:12-219:13			
ulz 1.30.	nulz 1.30.14 PL				231

DEPONENT Schulz Gio	VENT	DESIGNATIONS	RULING	OBJECTION Dulas A11 A12 A12 Tastimony does not involve filter at iceus and for failure	RESPONSES TO OBJECTIONS Tactimonar chause Bord's history of unthhalding critical information from
35,101,30/2014 01/30/2014	14	70,177,17,077	p. 100 100 100 100 100 100 100 100 100 10	modes at its sets. Testing to be shown that we have a sister and the modes at its sets and the modes at its sets and the modes at its sets. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony relates to irrelevant and prejudicial evidence regarding band s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	resultancy shows act as instancy of wateringthing critical informed decisions about physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to fail up to wam. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns what Bard told physicians not what they wanted to know.
Schulz, Gin 01/30/2014	3in 014	221:05-221:06	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial fetct, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403—Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages solaim dismissed. Rules 401, 402, and 403—testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Rules 601,602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters, Goes to failure to warn. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter, in order to prove failure to warn and design defect Plaintiff shoudl be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns what Bard told physicians not what they wanted to know.
Schulz, Gin 01/30/2014	014 014	224:01-224:14 Redact the words "and in some cases causing death" at lines 4 &5	Sustain	This testimony violates the Court's ruling on Bard's MIL on Recovery migration death. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff s punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's Witch prevented physicians from making informed decisions about Bard's VIC filters. Goes to failure to warn. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns the importance of the information that Bard was withholding. The testimony concerns the importance of the information that Bard was withholding. With the redactions the references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
Schulz, Gin 01/30/2014	3in 314	225:02-225:14	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's puntive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to warn. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect plaintiff should be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns the importance of the information that Bard was withholding.
Schulz, Gin 01/30/2014	3in 014	225:22-226:02	Overrule	Answer without a question. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to wam. The Recovery filter, as ruled by Judge campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable lifters. The testimony concerns the importance of the information that Bard was withholding.
Schulz, Gin 01/30/2014	Gin 014	226:04-226:05	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402, 403.—Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, and 403—testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters. Goes to failure to warn. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design deferch Plainfif should be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns the importance of the information that Bard was withholding.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFHRM	Schulz, Gin 01/30/2014	226:10-226:11	Overrule	2, 403. Testimony does not involve filter at issue and/or failure es: Irrelevant and any probative value outweighed by prejudicial larly with Plaintiff's punitive damages claim dismissed. Rules 401, attrainty relates to irrelevant and prejudicial evidence regarding at related to the Recovery Filter. Irrelevant and any probative value y prejudicial effect, particularly with Plaintiff's punitive damages ed. Rules 401, 402, and 403 – testimony concerns what physician anted to know / would expect a manufacturer to tell him/her.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about Bard's IVC filters, Goes to failure to warn. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrevable filters. The testimony concerns the importance of the information that Bard was withholding.
PL AFFIRM	Schulz, Gin 01/30/2014	226:15-226:16	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's puritive damages claim dismissed. Rules 401, fed. 403, 403—12 estimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,602 & 612. Witness does not have personal knowledge is document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See testimony at 227:23-228.02.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about para's IVC filters, Goes to failure to warn. The Recovery filter, as ruled by Judge Gampbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns the importance of the information that Bard was withholding.
PL AFFIRM	Schulz, Gin 01/30/2014	227:04-227:13	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial prefet, particularly with Plantiff's puritive damages claim dismissed. Rules 401, 6402, 403.—Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601,6602 & 612. Winness does non have personal knowledge for document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. See testimony at 227:23-228:02.	Testimony shows Bard's history of withholding critical information from physicians, which prevented physicians from making informed decisions about physicians, which prevented physicians from making informed decisions about Bard's IVC filters, Goes to failure to warn. The Recovery filter, as ruled by Judge Gampbell in the MDU, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. The testimony concerns the importance of the information that Bard was withholding.
DEF COUNTER	Schulz, Gin 01/30/2014	227:23-228:02	Overrule	FRE 106 - Optional completeness; the remainder of the witness's answer at 228:4- 6 oueht to be included.	
PL AFFIRM	Schulz, Gin 01/30/2014	228:07-228:19	Sustain	istimony does not involve filter at issue and/or failure and and probative value outweighed by prejudicial relatinitifs punitive damages claim dismissed. Rules 401, eletes to irrelevant and prejudicial evidence regarding to the Recovery Filter. Irrelevant and any probative value iale effect, particularly with Plainifff's punitive damages 601,602 & 612. Wilness does not have personal knowledge vas shown a document, was not familiar with it and ses not have personal knowledge about it or the 21,802. Testimony is hearsay.	The witness had direct involvement with the issue being discussed and it was part of her duties at Bard to be aware of the needs of physicians. Mr. Peterson's filter fractured. The Recovery is relevenat to the Eclipse as ruled by the MDL Court.
PL AFHRM	Schulz, Gin 01/30/2014	229:01-229:21	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 402, 402, 402, 402, 403, 402, 403, 403, 403, 403, 403, 403, 403, 403	The witness had direct involvement with the issue being discussed and it was part of her duties at Bard to be aware of the needs of physicians. Mr. Peterson remains at risk for filter fracture. The Recovery is relevenat to the Eclipse as ruled by the MDL Court.
PL AFFIRM	Schulz, Gin 01/30/2014	231:05-231:14	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue: Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, f402, 403.—Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 601,602, & 612. Winness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 801,802. Testimony is hearsay.	The witness had direct involvement with the issue being discussed and it was part of her duties at Bard to be aware of the needs of physicians. Mr. Peterson's filter fractured. The Recovery is relevenat to the Eclipse as ruled by the MDL Court.
PL AFFIRM	Schulz, Gin 01/30/2014	231:16			

Schulz, Gin 278:22-278:24 01/30/2014 Schulz, Gin 279:03-279:10 01/30/2014 Schulz, Gin 279:14-279:21 Schulz, Gin 279:24-280:02 01/30/2014 Schulz, Gin 282:19-283:05 01/30/2014 Schulz, Gin 282:19-283:05 01/30/2014 Schulz, Gin 285:02-285:09 01/30/2014 Schulz, Gin 285:02-285:09 01/30/2014 Schulz, Gin 285:02-285:09 01/30/2014 Schulz, Gin 285:13-285:23 Schulz, Gin 280:13-290:16 01/30/2014 Schulz, Gin 301:11-301:15 Schulz, Gin 301:11-301:15 Schulz, Gin 301:11-301:15 Schulz, Gin 301:19-301:06 01/30/2014 Schulz, Gin 301:11-301:15 Schulz, Gin 301:19-301:20	Overrule Overrule Overrule Inine	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules and A01, 402, 403. Testimony does not involve filter at issue and/or failure migrated Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure migrated andses at issue; irrelevant and any probative value outweighed by prejudicial be allowed and any probative value outweighed by prejudicial migrated and any probative value outweighed by prejudicial migrated and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure migrated and effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 401, 402, 403. Testimony does not involve filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601, 602 & 601. Lext foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The document was created nearly a year before the witness began to work at Bard. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 601,602 & 601. Lext foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. The document was created nearly a year before the witness began to work at Bard.	The Recovery filer, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter miranded. The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter miranded. The testimony asks what an internal procedure/document from Bard is and the witness answers with knowledge. The witness does not have to be present at the creation of a document to have knowledge of the document. The witness was aware of this document see 283:19-283:22 and the witness answers with knowledge. The witness does not have to be present at the treation of a document to have knowledge. The witness does not have to be present and the witness answers with knowledge. The witness does not have to be present and the witness answers with knowledge. The witness does not have to be present and the comment see 283:19-283:22.
279:03-279:10 279:03-279:10 279:14-280:02 282:19-283:05 282:19-285:01 Redact the word"deatline 14 and "4.6" from 17 285:02-285:09 at ""Given""" 285:13-285:23 290:13-290:16 290:13-290:16			e filter. In order to prove failure to warn and design defect plantiff should owed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter ted owed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter accorder filter, as ruled by Judge Campbell in the MDL, is relevant to the filter. In order to prove failure to warn and design defect Plaintiff should owed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter ted owed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter ted owers with knowledge. The witness does not have to be present at the on of a document to have knowledge of the document. The witness was of this document see 283:19-283:22. To this document see 283:19-283:22. To this document to the Eclipse filter, as ruled by Judge Campbell in DL. The testimony asks what an internal procedure/document from Bard is new witness answers with knowledge. The witness does not have to be present creation of a document to have knowledge of the document. The witness ware of this document see 283:19-283:22.
			ted covery filter, as ruled by Judge Campbell in the MDL, is relevant to the effect. In order to prove failure to warn and design defect Plaintiff should owed to tell the entire story of Bard' retrievable filters. Mr. Peterson's filter ted sed in the entire story of Bard' retrievable filters. Mr. Peterson's filter ted sed in the man internal procedure/document from Bard is and the seanswers with knowledge. The witness does not have to be present at the on of a document to have knowledge of the document. The witness was of this document see 283:19-283:22 i. of this document see 283:19-283:22 by this document to the Eclipse filter, as ruled by Judge Campbell in by Lite as answers with knowledge. The witness does not have to be present creation of a document to have knowledge of the document. The witness ware of this document see 283:19-283:22
			estimony asks what an internal procedure/document from Bard is and the ss answers with knowledge. The witness does not have to be present at the on of a document to have knowledge of the document. The witness was of this document see 283:19-283:22 The witness was an internal procedure/document from Bard is new vitness answers with knowledge. The witness does not have to be present creation of a document to have knowledge of the document. The witness ware of this document see 283:19-283:22
			sstimony asks what an internal procedure/document from Bard is and the ss answers with knowledge. The witness does not have to be present at the on of a document to have knowledge of the document. The witness was it of this document see 283:19-283:22 ecovery filter is relevant to the Eclipse filter, as ruled by Judge Campbell in Dir. The testimony asks what an internal procedure/document from Bard is ne witness answers with knowledge. The witness does not have to be present creation of a document to have knowledge of the document. The witness ware of this document see 283:19-283:22
			estimony asks what an internal procedure/document from Bard is and the ss answers with knowledge. The witness does not have to be present at the on of a document to have knowledge of the document. The witness was of this document see 283:19-283:22 ecovery filter is relevant to the Eclipse filter, as ruled by Judge Campbell in IDI. The testimony asks what an internal procedure/document from Bard is new witness answers with knowledge. The witness does not have to be present creation of a document to have knowledge of the document. The witness ware of this document see 283:19-283:22
			ecovery filter is relevant to the Ecilipse filter, as ruled by Judge Campbell in IDI. The testimony asks what an internal procedure/document from Bard is ne witness answers with knowledge. The witness does not have to be present creation of a document to have knowledge of the document. The witness ware of this document see 283:19-283:22
285:13-285:23 290:13-290:16 290:19-291:06 301:11-301:15			
290:13-290:16 290:19-291:06 301:11-301:15 301:19-301:20			
	Sustain	Optional completeness: the complete question, beginning at 290:2, ought to be included, as the omission of th question makes it unclear what the witness is	
	Sustain	FRE 402/403: The witness's testimony that she believed the Bard personnel who made decisions were qualified is not relevant to any matter at issue, including, but not limied to, the issue of consumer expectations.	
343:12-343:15			
Schulz, Gin 343:23-344:15 01/30/2014			
Schulz, Gin 346:04-346:06			
346:24-347:16			
347:19			
351:19-352:21			
352:22-353:12			
353:20			
357:11-357:12			
357:19-357:22			786

Properties Disposation D	PL AFFIRM	DEPONENT Schulz, Gin	363:07-363:13	RULING	OBJECTION	RESPONSES TO OBJECTIONS
Read of 2017-363-133	PL AFFIRM	Schulz, Gin	363:07-363:13			
378:05-378:10 379:19-380:02 385:02-385:22 386:01-386:06 386:08-386:15 386:01-386:06 386:01-386:06 386:02-386:15 394:15-394:23 394:15-394:23 394:15-394:23 394:15-394:23 394:15-394:23 396:02-396:03 399:21-400:09 406:05-406:16 408:02-407:02 406:05-406:16 409:02-409:06 409:02-409:06 409:02-410:05 410:02-410:03 410:02-410:16 413:13-413:16 414:20-414:11 414:09-414:17 414:20-414:21		01/30/2014	Redact the word "death" from line 9	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The Recovery filter, as ruled by Judge Campbell in the MDL, is relevant to the Eclipse filter. In order to prove failure to warn and design defect Plaintiff should be allowed to tell the entire story of Bard' retrievable filters. With the redactions, the reference does not include a cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death.
379:19-380:02 385:05-385:22 385:01-386:06 386:01-386:06 386:01-386:06 386:01-386:16 386:02-386:15 394:12-395:07 394:12-395:03 396:02-396:03 395:10-395:23 396:02-396:03 399:21-400:09 402:22-402:24 403:01-403:09 406:02-406:16 406:02-406:16 406:02-406:16 406:02-406:16 406:02-406:16 409:09-409:10 409:09-409:10 400:02-410:05 410:02-410:05 411:02-414:01 414:09-414:17 414:20-414:21 414:20-414:21	PL AFFIRM	Schulz, Gin	378:05-378:10			(A4N) Dec 10010)
385.05-385:22 386.01-386:06 386.03-386:15 388.13-394:23 394:15-394:23 394:15-394:23 394:15-395:23 396:02-396:03 399:21-400:09 402:22-407:02 403:01-403:09 406:02-406:16 40	PL AFFIRM	Schulz, Gin 01/30/2014	379:19-380:02			
386.01-386.06 386.01-386.15 388.19-388.16 388.19-388.21 394.24-395.07 395.10-395.18 395.10-395.23 396.02-396.03 399.21-400:09 402.22-402.24 403.01-403.09 406.02-406.16 406.02-406.16 406.02-400.06 409.02-410.03 410.02-410.03 410.02-414.01 414.09-414.17 414.23-414.21 414.23-414.24 414.23-414.24	PL AFFIRM	Schulz, Gin 01/30/2014	385:05-385:22			
386.08-386:15 388.02-388:16 388.19-388:21 394.15-394:23 394.24-395:07 0	PL AFFIRM	Schulz, Gin 01/30/2014	386:01-386:06			
388.19-388.16 388.19-388.21 394.15-394.23 394.24-395.07 0	PL AFFIRM	Schulz, Gin 01/30/2014	386:08-386:15			
388.19-388.21 394.15-394.23 394.24-395.07 Overrule 395.10-395.18 395.10-395.13 396.02-396.03 399.21-400.09 402.22-402.24 403.01-403.09 405.22-407.02 406.17-406.19 406.02-406.16 409.02-409.06 409.02-410.03 410.02-410.15 410.05-410.15 410.05-410.15 411.02-410.14 414.09-414.17 414.09-414.17 414.20-414.21 414.20-414.21 414.20-414.21	PL AFFIRM	Schulz, Gin	388:02-388:16			
394.15-394.23 394.24-395.07 394.24-395.07 395.10-395.18 395.19-395.23 396.02-396.03 399.21-400.09 402:22-402.24 403:01-403:09 406.17-406:19 \$ustain 406.22-407:02 \$ustain 406.240:06 409:02-409:06 409:02-409:06 409:02-410:03 410:02-410:03 410:02-410:04 411:02-411:05 413:13-413:16 414:20-414:01 414:20-414:21 414:20-414:21	PL AFFIRM	Schulz, Gin 01/30/2014	388:19-388:21			
394:24-395:07 Overrule 395:10-395:18 Overrule 395:10-395:18 Overrule 395:10-395:23 396:02-396:03 399:21-400:09 402:22-402:24 403:01-403:09 406:17-406:19 5ustain 406:05-406:16 409:02-409:06 409:02-409:06 409:02-410:15 410:05-410:15 410:05-410:15 411:19-413:20 414:20-414:21 414:20-414:21	PL AFFIRM	Schulz, Gin 01/30/2014	394:15-394:23			
395:10-395:18 395:10-395:18 396:02-396:03 399:21-400:09 402:22-402:24 403:01-403:09 406:17-406:19 406:05-406:16 406:05-406:16 409:02-409:06 409:02-409:06 409:02-409:10 409:21-409:23 410:05-410:15 410:05-410:15 411:02-414:01 414:20-414:17 414:20-414:21 414:20-414:21	DEF COUNTER	Schulz, Gin 01/30/2014	394:24-395:07	Overrule	Lack of foundation. Witness does not know if the "product" was improved with every iteration.	
395.19-395:23 396.02-396:03 396.02-396:03 399.21-400:09 402.22-402:24 403.01-403:09 406.05-406:16 406.05-406:16 406.05-406:10 409:02-407:02 409:02-409:06 409:02-410:33 410:02-410:15 410:02-414:01 414:20-414:21 414:20-414:21 414:20-414:24 414:23-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24 414:20-414:24	DEF COUNTER	Schulz, Gin 01/30/2014	395:10-395:18	Overrule	Lack of foundation. Witness does not know if the "product" was improved with every iteration.	
399.21-400:09 402.22-402:24 403:01-403:09 406:05-406:16 406:05-406:19 5ustain 406:22-407:02 409:02-409:06 409:02-409:0 409:02-409:0 410:02-410:03 410:02-410:05 411:02-414:01 414:20-414:21 414:20-414:21 414:23-414:24 6 399:21-400:09 8 403:22-407:05 413:19-413:20 413:19-413:20 414:20-414:21 414:20-414:21	PL AFFIRM	Schulz, Gin 01/30/2014	395:19-395:23			
399:21-400:09 402:22-402:24 406:05-406:16 406:05-406:19 5ustain 406:22-407:02 409:02-409:06 409:02-409:03 410:02-410:03 410:02-410:03 410:02-414:01 414:20-414:21 414:20-414:21 410:23-414:24 414:23-414:24 416:23-414:24 416:23-414:24 416:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24 417:23-414:24	PL AFFIRM	Schulz, Gin 01/30/2014	396:02-396:03			
402:22-402:24 403:01-403:09 406:05-406:16 406:02-407:02 8ustain 406:22-407:02 8ustain 409:02-409:06 409:03-409:10 409:01-409:23 410:02-410:03 410:05-410:15 410:05-410:15 411:02-410:05 413:13-413:16 414:20-414:21 414:20-414:21 414:20-414:21	PL AFFIRM	Schulz, Gin 01/30/2014	399:21-400:09			
403.01-403.09 406.05-406.16 406.22-407.02 Sustain 406.22-407.02 409.02-409.06 409.02-409.10 409.21-409.23 410.02-410.03 410.02-410.03 410.18-410.24 411.02-411.05 413.13-413.16 414.20-414.01 414.09-414.17 414.20-414.21 414.23-414.24 Overtule	PL AFFIRM	Schulz, Gin 01/30/2014	402:22-402:24			
406.05-406.16 406.17-406.19 Sustain 406.22-407.02 Sustain 409.02-409.06 409.09-409.10 409.21-409.23 410.05-410.15 410.05-410.15 410.05-410.15 411.02-411.05 413.13-413.16 414.20-414.01 414.09-414.21 414.20-414.21 A14.23-414.24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	403:01-403:09			
406.17-406.19 Sustain 406.22-407:02 Sustain 409:02-409:06 409:09-409:10 409:21-409:23 410:02-410:03 410:05-410:15 410:18-410:24 411:02-411:05 413:13-413:16 414:20-414:01 414:20-414:21 414:23-414:24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	406:05-406:16			
406:22-407:02 Sustain 409:02-409:06 409:02-409:10 409:21-409:23 410:02-410:03 410:05-410:15 410:05-410:16 413:19-413:20 413:19-413:20 414:09-414:21 414:23-414:21 640:22-414:21 640:23-414:24	DEF COUNTER	Schulz, Gin 01/30/2014	406:17-406:19	Sustain	Lack of foundation. Witness cannot speak for the entire medical community.	
409.02-409.06 409.09-409.10 409.21-409.23 410.02-410.03 410.05-410.15 411.02-411.05 413.13-413.16 413.13-413.10 414.20-414.11 414.09-414.17 414.23-414.24 Overtule	DEF COUNTER	Schulz, Gin 01/30/2014	406:22-407:02	Sustain	Lack of foundation. Witness cannot speak for the entire medical community.	
409:21-409:23 409:21-409:23 410:05-410:03 410:05-410:15 410:18-410:24 411:02-411:05 413:19-413:20 413:19-413:20 414:09-414:17 414:09-414:21 414:23-414:24	PL AFFIRM	Schulz, Gin 01/30/2014	409:02-409:06			
409:21-409:23 410:02-410:03 410:05-410:15 411:02-411:05 413:13-413:16 413:13-413:20 413:22-414:01 414:20-414:21 414:23-414:24 Overtule	PL AFFIRM	Schulz, Gin 01/30/2014	409:09-409:10			
410:02-410:03 410:05-410:15 410:18-410:24 411:02-411:05 413:19-413:20 413:19-413:20 413:22-414:01 414:09-414:17 414:23-414:21	PL AFFIRM	Schulz, Gin 01/30/2014	409:21-409:23			
410.05-410.15 410.18-410.24 411.02-411.05 413:13-413:16 413:12-414:01 414:20-414:21 414:23-414:24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	410:02-410:03			
410:18-410:24 411:02-411:05 413:13-413:16 413:19-413:20 413:22-414:01 414:09-414:17 414:23-414:24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	410:05-410:15			
411:02-411:05 413:13-413:16 413:19-413:20 413:22-414:01 414:09-414:17 414:20-414:21 414:23-414:24	PL AFFIRM	Schulz, Gin 01/30/2014	410:18-410:24			
413:19-413:20 413:22-414:01 414:09-414:17 414:23-414:21 414:23-414:24	PL AFFIRM	Schulz, Gin 01/30/2014	411:02-411:05			
413:19-413:20 413:22-414:01 414:09-414:17 414:20-414:21 414:23-414:24	PL AFFIRM	Schulz, Gin 01/30/2014	413:13-413:16			
413:22-414:01 414:09-414:17 414:20-414:21 414:23-414:24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	413:19-413:20			
414:09-414:17 414:20-414:21 414:23-414:24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	413:22-414:01			
414;20-414;21 414;23-414;24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	414:09-414:17			
414:23-414:24 Overrule	PL AFFIRM	Schulz, Gin 01/30/2014	414:20-414:21			
	DEF COUNTER	Schulz, Gin 01/30/2014	414:23-414:24	Overrule	vague and confusing question. Lack of foundation. Relevant is not clear in the question or based on the answer.	

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF COUNTER	Schulz, Gin 01/30/2014	415:03-415:09	Overrule	vague and confusing question. Lack of foundation. Relevant is not clear in the question or based on the answer.	
PL AFFIRM	Schulz, Gin 01/30/2014	415:22-416:02			
PL AFFIRM	Schulz, Gin 01/30/2014	416:06-416:07			
PL AFFIRM	Schulz, Gin 01/30/2014	417:09-417:11			
PL AFFIRM	Schulz, Gin 01/30/2014	417:14-417:17			
PL AFFIRM	Schulz, Gin 01/30/2014	417:19-418:03			
PL AFFIRM	Schulz, Gin 01/30/2014	418:06-418:07			
PL AFFIRM	Schulz, Gin 01/30/2014	418:09-418:22			
PL AFFIRM	Schulz, Gin 01/30/2014	419 01			
PL AFFIRM	Schulz, Gin 01/30/2014	419:03-419:08			
PL AFFIRM	Schulz, Gin 01/30/2014	419:11-419:24			
PL AFFIRM	Schulz, Gin 01/30/2014	420:02-420:06			
PL AFFIRM	Schulz, Gin 01/30/2014	420:09-420:11			
PL AFFIRM	Schulz, Gin 01/30/2014	422:18-422:21			
PL AFFIRM	Schulz, Gin 01/30/2014	422:24-423:02			
PL AFFIRM	Schulz, Gin 01/30/2014	428:01-428:05			
PL AFFIRM	Schulz, Gin 01/30/2014	428 08			
PL AFFIRM	Schulz, Gin 01/30/2014	431:14-431:17			
PL AFFIRM	Schulz, Gin 01/30/2014	431:20			
PL AFFIRM	Schulz, Gin 01/30/2014	431:22-432:05			
DEF COUNTER	Schulz, Gin 01/30/2014	432:20-432:22	Sustain	Speculation. The witness cannot speak for Dr. Ciavarella and what he did and did not understand.	
DEF COUNTER	Schulz, Gin 01/30/2014	433:01-433:05	Sustain	Speculation. The witness cannot speak for Dr. Ciavarella and what he did and did not understand.	
PL AFFIRM	Schulz, Gin 01/30/2014	434:19-434:20			
PL AFFIRM	Schulz, Gin 01/30/2014	435:04-436:05			
PL AFFIRM	Schulz, Gin 01/30/2014	436:18-437:05			
DEF COUNTER	Schulz, Gin 01/30/2014	437:06-437:21	Sustain	Counsel if testifying. The document speaks for itself.	
PL AFFIRM	Schulz, Gin 01/30/2014	437:24-438:04			
DEF COUNTER	Schulz, Gin 01/30/2014	438:05-438:11	Sustain	Counsel if testifying. The document speaks for itself.	
PL AFFIRM	Schulz, Gin 01/30/2014	438:12-439:23			
PL AFFIRM	Schulz, Gin 01/30/2014	440:04-440:06	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regualtory compliance, complaint handling, corrective actions etc. (49:8-5:1:19). The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
DEF COUNTER	Schulz, Gin 01/30/2014	440:07-440:11			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Schulz, Gin 01/30/2014	440:12-440:23	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc., (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	441:05-442:02	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regualtory compliance, complaint handling, corrective actions etc. (49 8-51:19)The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	442:06-442:14	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Nas. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
DEF COUNTER	Schulz, Gin 01/30/2014	443:07-443:20			
PL AFFIRM	Schulz, Gin 01/30/2014	444:07-444:15	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Nas. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc., (49 8-51:19) late use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
DEF COUNTER	Schulz, Gin 01/30/2014	444:16-444:22	Sustain	Non responsive. The witness did not answer the quesiton. Speculations, the witness cannot speak for what physicians believed to be the tradeoffs of retrievable filters.	
DEF COUNTER	Schulz, Gin 01/30/2014	445:01-445:08	Sustain	Non responsive. The witness did not answer the quesiton. Speculations, the witness cannot speak for what physicians believed to be the tradeoffs of retrievable filters.	
PL AFFIRM	Schulz, Gin 01/30/2014	446:14-447:06	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regultory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	447:09-447:11	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Tilting and penetration are at issue in this case. The witness is allowed to explain her understanding. He references are not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death.
PL AFFIRM	Schulz, Gin 01/30/2014	447:13-447:19			
PL AFFIRM	Schulz, Gin 01/30/2014	448:09-448:13			
PL AFFIRM	Schulz, Gin 01/30/2014	448:16			
PL AFFIRM	Schulz, Gin 01/30/2014	448:18			
PL AFFIRM	Schulz, Gin 01/30/2014	448:21			

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Schulz Gin	PL AFFIRM	Schulz, Gin 01/30/2014	448:23-449:18	Overrule	UBJECTION Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	KESPONSES TO UBJECTIONS Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality systems, enough responsibilities and was responsible for implementing Bard's quality systems, including regualtory compliance,
Schult, Gn						complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
Schulc, Gin 450.09-450.20 Deerside Paule 601/602 & 612, Lack foundation, witness does not have personal out/30/2014 451.16-452.31 Sustain Rules 601/602 & 612, Lack foundation, witness does not have personal out/30/2014 451.16-452.31 Sustain Rules 601/602 & 612, Lack foundation, witness does not have personal out/30/2014 452.19-452.22 Sustain Rules 601/602 & 612, Lack foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness. 453.01-452.32 Sustain Rules 601/602 & 612, Lack foundation, witness does not have personal out/30/2014 453.21-451.30 Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal out/30/2014 453.22-451.30 Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal out/30/2014 453.22-451.31 Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal out/30/2014 454.12-451.31 Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness. Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness. Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness. Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness. Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness. Oberride Rules 601/602 & 612, Lacks foundation, witness does not have personal knowledge of subject matter, calls for specialition by the witness.	PL AFFIRM	Schulz, Gin 01/30/2014	449:21-449:23	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
Schulz, Gin 451.16-452.01 Sustain Rules 601/602 & 612 Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	PL AFFIRM	Schulz, Gin 01/30/2014	450:09-450:20	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51.19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
Schulz, Gin 452.04-452.13 Sustain This is an answer without a question. Schulz, Gin 452.04-452.12 Schulz, Gin 453.01-453.03 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal O1/30/2014 453.22-454.09 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal Schulz, Gin 453.22-454.09 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal O1/30/2014 454.12-454.14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal O1/30/2014 454.16-455.02 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have personal Rules 601/602 & 612. Lacks foundation, witness does not have description Rules 601/602 & 612. Lacks foundation, witness does not have description Rules 601/602 & 612. L	PL AFFIRM	Schulz, Gin 01/30/2014	451:16-452:01	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
Schulz, Gin 452.19-452.22 Schulz, Gin 453:07-453:03 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 01/30/2014 453:07-453:03 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 5chulz, Gin 453:02-454:09 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 5chulz, Gin 454:12-454:14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 601/30/2014 454:16-455:02 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	F COUNTER	Schulz, Gin 01/30/2014	452:04-452:13	Sustain	This is an answer without a question.	
Schulz, Gin 453:07-453:13 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 5chulz, Gin 453:22-454.09 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 5chulz, Gin 454:12-454.14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. 5chulz, Gin 454:12-454.14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	F COUNTER	Schulz, Gin 01/30/2014	452:19-452:22			
Schulz, Gin 453:07-453:13 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Schulz, Gin 453:22-454:09 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Schulz, Gin 454:12-454:14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Schulz, Gin 454:16-455:02 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	F COUNTER	Schulz, Gin 01/30/2014	453:01-453:03			
Schulz, Gin 453:22-454:09 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal not/30/2014 454:12-454:14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Schulz, Gin 454:12-454:14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Schulz, Gin 454:16-455:02 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	ol Affirm	Schulz, Gin 01/30/2014	453:07-453:13	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:13) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
Schulz, Gin 454:12-454:14 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal not/30/2014 454:16-455:02 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	ol affirm	Schulz, Gin 01/30/2014	453:22-454:09	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ns. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49.8-51:13) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
Schulz, Gin 454:16-455:02 Overrule Rules 601/602 & 612. Lacks foundation, witness does not have personal 01/30/2014 knowledge of subject matter, calls for speculation by the witness.	of AFFIRM	Schulz, Gin 01/30/2014	454:12-454:14	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49.8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
	PL AFFIRM	Schulz, Gin 01/30/2014	454:16-455:02	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.

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PL AFFIRM	Schulz, Gin 01/30/2014	455:05-455:06	Overrule	UBJECTION Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51.19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	455:10-455:11	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including requirory compliance, complaint handling, corrective actions etc. (49 8-51.19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	456:01-456:06	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	NAs. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regularly compliance, complaint handling, corrective actions etc. (49 8-51.19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	457:06-457:10	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regualtory compliance, complain handling, corrective actions etc. (49 8-51.19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	458:05-458:09	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regultory compliance, complaint handling, corrective actions etc. (49 8-51.19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	459.20-459.24	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	460:04-460:06	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.
PL AFFIRM	Schulz, Gin 01/30/2014	460.20-461.06	Overrule	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49 8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.

	(Case 3:19-c	v-01701-M	O	Do	ocument 181	Filed 05/03/2	1 Page 241	of 288
BESPONSES TO OBJECTIONS	Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regualtory compliance, complaint handling, corrective actions etc. (48-85:13) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard.	Mr. Peterson's filter fractured. The witness said she read the study. The Recovery filter is relevant to this case. The references are not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Edipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).	Not Peterson's filter fractured. The witness said she read the study. The Recovery filter is relevant to this case. The references are not to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Edipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).			The witness states she is sure she would have reviewed the study being discussed (467:23-468 03). Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regualtry compliance, complaint handling, corrective actions etc. (49:8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard. Proper use of the study under FRE 803(18).	The witness states she is sure she would have reviewed the study being discussed (467:23-468 03). Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality, systems, including regualtory compliance, complaint handling, corrective actions etc. (48-55:13) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard. Proper use of the study under FRE 803(18).	The witness states she is sure she would have reviewed the study being discussed (467:23-468 03). Ms. Schultz has been with Bard since 2005. She was hired as VP of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality, systems, including regualtory compliance, complaint handling corrective actions etc. (49:8-5:13) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard. Proper use of the study under FRE 803(18).	The witness states she is sure she would have reviewed the study being discussed discussed of quality assurance and is still in quality assurance with responsibilities and was responsible for implementing Bard's quality systems, including regulatory compliance, complaint handling, corrective actions etc. (49:8-51:19) The use of the Bard corporate documents is foundational to the questions being asked about the performance of the Bard filters and some complaints that were reviewed by Bard. All areas within her knowledge and area of responsibility at Bard. Proper use of the study under FRE 803(18).
OBJECTION	Rules 601,003 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive danages claim dismissed. Rules 401, 403, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard sconduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Rules 801/802. Testimony is hearsay.	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed. Rules 401, 403, 403 — Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 801/802. Testimony is hearsay.			Rules 801/802 - calls for hearsay. Rules 601/602/612 - the withess does not have personal knowledgeof the study.	Rules 801/802 - calls for hearsay. Rules 601/602/612 - the withess does not have personal knowledgeof the study.	Rules 801/802 - calls for hearsay. Rules 601/602/612 - the withess does not have personal knowledgeof the study.	Rules 801/802 - calls for hearsay. Rules 601/602/612 - the withess does not have personal knowledgeof the study.
RIIING	Overrule	Overrule	Overrule			Overrule	Overrule	Overrule	Overrule
DESIGNATIONS	461.09	461:23-462:02	462:08-462:11	465:12-465:20	466:06-466:09	467:23-468:15	468:18-468:22	468:24-469:17	469:22 470:01
DEPONENT	Schulz, Gin 01/30/2014	Schulz, Gin 01/30/2014	Schulz, Gin 01/30/2014	Schulz, Gin 01/30/2014	Schulz, Gin 01/30/2014	Schutz, Gin 01/30/2014	Schulz, Gin 01/30/2014	Schulz, Gin 01/30/2014	Schulz, Gin 01/30/2014
DESIGNEE	PLAFFIRM	PL AFFIRM	PL AFHRM	DEF COUNTER	DEF COUNTER	PL AFFIRM	PLAFHRM	PLAFFIRM	PLAFFIRM

Schulz 1.30.14 PL

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	
OBJECTION			Overrule	Praintin objects to an or the testinony or hus. Schulz regarding 5.10(k) process/application, FDA regulations/communication, and SIR guidelines. Testimony regarding the 5.10(k), FDA regulations, and SIR are not relevant and Plaintiff incorporates his arguments. In addition to his Motion in Limine/Motion to Exclude, Plaintiff makes the following specific objections and designations.	
DEF AFFIRM	Schulz, Gin 01/30/2014	24:04-24:10 begin at "Can"			
DEF AFFIRM	Schulz, Gin 01/30/2014	26:11-26:13			
DEF AFFIRM	Schulz, Gin 01/30/2014	30:12-30:16 begin at "you" end at through "1990"			
DEF AFFIRM	Schulz, Gin 01/30/2014	30:21-31:04 begin at "And"			
DEF AFFIRM	Schulz, Gin 01/30/2014	31:08-31:15 begin at "when"			
DEF AFFIRM	Schulz, Gin 01/30/2014	49:08-50:24			
DEF AFFIRM	Schulz, Gin 01/30/2014	52:22-53:24 begin at "And"			
DEF AFFIRM	Schulz, Gin 01/30/2014	54:01-55:10 begin at "Now"			
PL COUNTER	Schulz, Gin 01/30/2014	109:22-110:01	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. This is not within the scope of Defendant's designations; this is not a "counter-designation."	
PL COUNTER	Schulz, Gin 01/30/2014	110:04-110:14	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This is not within the scope of Defendant's designations; this is not a "counter-designation."	
DEF AFFIRM	Schulz, Gin 01/30/2014	123:21-124:03 begin at "if"			
DEF AFFIRM	Schulz, Gin 01/30/2014	124:06-124:20	Overrule	(124:06-20): Non-responsive. (124:18-20): RE: 602 & 702: Lack of foundation; The witness is testifying from her extensive personal experience. She was asked speculative: witness is not qualified or properly designated to testify as an expert about these issues by Plaintiff's coursel who apparently believed she about what "PDA looks aton the approval of the devices." Is often the devices at issue was never "approved" and the FDA made no risk/benefit analysis of the device at issue although testimony implies that occurred.	rperience. She was asked o apparently believed she ar as to these issues — a garding "approval" or 23.
DEF AFFIRM	Schulz, Gin 01/30/2014	125:11-125:22 begin at "And"	Sustain in part as to giving answer	FRE 602, 702: Lack of foundation: witness has no personal knowledge and is neither qualified nor properly designated as an expert to testify about how an implanting physician makes risk/benefit decisions in using the device at issue. Eurther, FRE 105: the rule of optional completeness requires the answer (at line witness) is answer and gives the improper impression that the answer given at lines 125:16) if this excerpt is permitted because the question, rather than line 16.	opparently believed she as to apparently believed she as to these issues — ot object to the inclusion of
DEF AFFIRM	Schulz, Gin 01/30/2014	126:01-127:06	Sustain in part as to giving question	(126:01-06): FRE 106: under the rule of optional completeness the jury should hear the question at lines 125:17-22. Plaintiffs do not articulate hear the question at lines 125:17-22. Plaintiffs do not articulate hear the question this witness is answering in the designated testimony. (Highlighted transcript includes lines 126:7-127.6, to which Plaintiffs have additional objections. Plaintiffs assume that this chart presents the correct intended designations).	. Plaintiffs do not articulate

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Schulz, Gin 01/30/2014	147;20-149;21	Overrule	(147:20-149:21): Non-responsive. (147:20-150:13): (1) FRE 402, 403 - objection to widence of FDA lack of enforcement for the reasons set forth in Plaintiff's Motion evidence of FDA lack of enforcement for the reasons et forth in Plaintiff's Motion in Limine on this topic. (2) FRE 402, 403: objection to evidence of advocacy equilibration of the perinent background and experience to testify as to these issues — had the perinent background and experience to testify as to these issues — had the perinent background and experience to testify to object to this response to the size of mind as to the SIR guidelines or as an expert on the legal represented or acknowledged in meetings that SIR guidelines so and failure rates for the explain when such meetings that SIR guidelines and the testimony is inadmissible hearsay. (4) FRE 402, 403: pertain to the CAZY filter of the time frame at issue (2001), further, any probative value is outweighed by the danger of undue prejudelines and the testimony implies that FDA found the failure rates for the GAZY filter for compliance with a Federal regulatory standard.	The witness is testifying from her extensive personal experience. She was asked extensively about these issues by Plaintiff's counsel who apparently believed she had the pertinent background and experience to testify as to these issues – otherwise, they wouldn't have asked. It is ironic for Plaintiff to object to this testimony on the basis that Ms. Schulz began with Bard in 2003 and the timeframe at issue is 2010 – Plaintiff has designated a significant amount of testimony from this and other witnesses regarding events and circumstances from the 2003-2005, ett. timeframe. Plaintiff cannot have it both ways. Either the pertinent time period befondants incorporate their responses to Plaintiff's motions in limine.
DEF AFFIRM	Schulz, Gin 01/30/2014	150:02-150:13	Overrule	See objections to 147:20-149:21, above.	The witness is testifying from her extensive personal experience. She was asked extensively about these issues by Plaintiff's counsel who apparently believed she hard the pertinent background and experience to testify as to these issues - otherwise, they wouldn't have asked. It is ironic for Plaintiff to object to this testinony on the basis that Mis. Schulz began with Bard in 2005 and the timeframe at issue is 2010. – Plaintiff has designated a significant amount of testimony from this and other witnesses regarding events and circumstances from the 2003-2005, etc. timeframe. Plaintiff cannot have it both ways. Either the pertinent time period is 2010, or both parties can present evidence from this earlier time period. Defendants incorporate their responses to Plaintiff's motions in limine.
PL COUNTER	Schulz, Gin 01/30/2014	150:22-151:01			

DESIGNEE	DEPONENT	DESIGNATIONS	RIIING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Tessmer, Alex	11:15-11:17			
PL AFFIRM	Tessmer, Alex	12:18			
PL AFFIRM	Tessmer, Alex 06/12/2013	13:17-13:20			
PL AFFIRM	Tessmer, Alex 06/12/2013	16:07-16:11			
PL AFFIRM	Tessmer, Alex 06/12/2013	19:06-19:10 "I transferred			
PL AFFIRM	Tessmer, Alex 06/12/2013	19:23-20:04 "okav"			
PL AFFIRM	Tessmer, Alex 06/12/2013	22:05-22:12			
DEF COUNTER	Tessmer, Alex 06/12/2013	22:13-22:18			
PL AFFIRM	Tessmer, Alex 06/12/2013	22:19-23:02			
DEF COUNTER	Tessmer, Alex 06/12/2013	23:03-23:05			
PL AFFIRM	Tessmer, Alex 06/12/2013	23:14-24:02	Overrule	Incomplete answer; answer continues through line 5	24:2-5 is non-responsive
DEF COUNTER	Tessmer, Alex 06/12/2013	23:20-23:22			
DEF COUNTER	Tessmer, Alex 06/12/2013	24:02-24:08			
PL AFFIRM	Tessmer, Alex 06/12/2013	25:24-26:02 end "team"	Overrule	Incomplete answer; answer continues through line 3	
DEF COUNTER	Tessmer, Alex 06/12/2013	26:02-26:06			
PL AFFIRM	Tessmer, Alex 06/12/2013	29:09-29:11			
PL AFFIRM	Tessmer, Alex 06/12/2013	42:11-42:15			
PL AFFIRM	Tessmer, Alex 06/12/2013	43:09-43:10			
PL AFFIRM	Tessmer, Alex 06/12/2013	43:25-44:06			
PL AFFIRM	Tessmer, Alex 06/12/2013	44:14			
DEF COUNTER	Tessmer, Alex 06/12/2013	44:15-44:18 stopping at function			
DEF COUNTER	Tessmer, Alex 06/12/2013	44:19-44:21 starting at "do you agree"			
DEF COUNTER	Tessmer, Alex 06/12/2013	44:24-45:03			
DEF COUNTER	Tessmer, Alex 06/12/2013	49:05-49:07			
DEF COUNTER	Tessmer, Alex 06/12/2013	49:09-49:16			
PL AFFIRM	Tessmer, Alex 06/12/2013	56:03-56:05 "vou re in"			
DEF COUNTER	Tessmer, Alex 06/12/2013	56:06-56:17			
PL AFFIRM	Tessmer, Alex 06/12/2013	56:18-56:21			
PL AFFIRM	Tessmer, Alex 06/12/2013	56:23-56:25			
PL AFFIRM	Tessmer, Alex 06/12/2013	57:16-57:18			
DEF COUNTER	Tessmer, Alex 06/12/2013	57:19-57:25			
DEF COUNTER	Tessmer, Alex 06/12/2013	58:16-58:25			
PL AFFIRM	Tessmer, Alex 06/12/2013	61:09-61:13 "do you think"	Overrule	Rule 611, Vague and ambiguous and assumes facts not in evidence.	Not vague, not ambiguous, does not assume any facts. Witness was asked about his understanding of his industry and how a manufacturer should respond to known device failures.
PL AFFIRM Tessmer, Alex 06/12/2013 Tessmer 6 12 13	Tessmer, Alex 06/12/2013 2.1.3	62:03-62:04	Overrule	Rule 611, Vague and ambiguous and assumes facts not in evidence.	Not vague, not ambiguous, does not assume any facts. Witness was asked about his understanding of his industry and how a manufacturer should respond to known device failures.
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Testing						
Control Cont	DESIGNEE	Tottmor Alex	DESIGNATIONS 65:03 65:07	KULING	UBJECTION District And And And Tortimony, recovereding Coloc (Marylopting door not relate to the	Techinomianalise the Brownian which is the accelerate of the filtered incline
Testmer, Alex 65:16-53.18 Sustain Rules 401, 402, 403 – Testmony does not involve filter at issue and/or failure Testmer, Alex 66:14-66.20 Sustain Feet Allx 402, 403 – Testmony does not involve filter at issue and/or failure Testmer, Alex 66:14-66.20 Sustain Feet Allx 402, 403 – Testmony does not involve filter at issue and/or failure Feet Allx 402, 403 – Testmony Alex 66:14-66.20 Sustain Feet Allx 402, 403 – Testmony does not involve filter at issue and/or failure Feet Allx 402, 403 – Testmony Alex 66:14-66.20 Sustain Feet Allx 402, 403 – Testmony feet and subjects without so that the feet Allx 402, 403 – Testmony feet and subjects without so that and the feet Allx 402, 403 – Testmony feet Allx 402, 403 –		06/12/2013			nuces 403, 403, 103, Testinusly regarding baces in the case; Irrelevant and any probative value course course of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Implies that duty to warn is to the patient, but uner Oregon law it it the physician.	resundorly involves are necoverly, which is are predicate by the first arisance. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves migration, which is a failure mode at issue and applies to all Bard's filters
Tessmer, Alea	DEF COUNTER	Tessmer, Alex 06/12/2013	65:16-65:18			
Tessmer, Alex 66:14-66:20 Sestion Implies that the duty to warm is to the patient, but under Oregan law it is to the patient, but under Oregan law it is to the office. Tessmer, Alex 66:21-67:06 Devertile Tessmer, Alex 66:21-67:06 Devertile Tessmer, Alex 78:02-78:08 Devertile Tessmer, Alex 78:02-78:09 Devertile Tessmer, Alex 78:0	PL AFFIRM	Tessmer, Alex 06/12/2013	65:19:65:20 ending at "going to migrate."	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rules 401, 402 & 403-Irrelevant and Unfairly Prejudicial. Rule 611(a)(3) questioning is argumentative and subjects witness to harassment.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves migration, which is a failure mode at issue and applies to all Bard's filters
Tessner, Alex 126.76.5	PL AFFIRM	Tessmer, Alex 06/12/2013	66:14-66:20	Sustain	Implies that the duty to warn is to the patient, but under Oregon law it is to the doctor.	It does not assume direct communication to the patient. The the patient is ulitmately the one who is deciding to have the device implanted and that decision is based on the information made available to his physician. The conentext of the questioon is dear when consided with 61:09-61:13 & 62:03-62:04
Tessmer, Alex 78-57-78-08 Overrule FFE D1, 402, 03.7 https://doi.org/10.10.10.10.10.10.10.10.10.10.10.10.10.1	DEF COUNTER	Tessmer, Alex 06/12/2013	66:21-67:06			
Tessner, Alex 78:18-78:19 Overrule FFE 401, 402, 403 This is an answer skeen crompletely out of context. There is no context. Alex 78:11-78:25 Context it is confusion and likely to midead Context. There is no context. Alex 78:21-78:25 Context it is confusion and likely to midead Context. There is no context. Alex 29:02-79:03 Context it is confusion and likely to midead Context. There is no context. Alex Context. Al	DEF COUNTER	Tessmer, Alex 06/12/2013	78:05-78:08	Overrule	FRE 401, 402, 403. This is an answer taken completely out of context. There is no question asked and therefore the statement is not responsive and as it is out context it is confusine and likely to mislead.	
Tessmer, Alex 78.21.78.25 79.02.79.03	DEF COUNTER	Tessmer, Alex 06/12/2013	78:18-78:19	Overrule	FRE 401, 402, 403 This is an answer taken completely out of context. There is no question asked and therefore the statement is not responsive and as it is out context it is confusine and likely to mislead.	
Tessner, Alex 79.02-79.03 E65/12/2013 E65/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	78:21-78:25			
Tessmer, Alex 81.07-81.14	DEF COUNTER	Tessmer, Alex 06/12/2013	79:02-79:03			
Tessmer, Alex 82.04-82:14 Essmer, Alex 606/12/2013 Essmer, Alex 102:25-103:16 Essmer, Alex 102:25-103:16 Essmer, Alex 104:02-104.06 Essmer, Alex 106:09-109:12 Essmer, Alex 106:09-109:13 Essmer, Alex 106:0	DEF COUNTER	Tessmer, Alex 06/12/2013	81:07-81:14			
Tessmer, Alex 83.01-83.14 88.25-89.03 88.25-89.03 88.25-89.03 88.25-89.03 88.07-83.14 89.09-89.12	DEF COUNTER	Tessmer, Alex 06/12/2013	82:04-82:14			
Tessmer, Alex 88:25-89:03 Tessmer, Alex 88:25-89:03 Tessmer, Alex 89:25-89:12 Sustain Rules 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence Tessmer, Alex 102:25-103:16 Sustain Rules 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 104:02-104:06 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence Tessmer, Alex 104:02-104:06 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence Tessmer, Alex 109:09-109:12 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 109:13-109:22 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 112:11-112:17 Overrule Overrule Colorative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 112:11-112:17 Overrule Over	DEF COUNTER	Tessmer, Alex 06/12/2013	83:01-83:14			
Tessmer, Alex 89:09-89:12 Sustain Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence 106/12/2013 102:25-103:16 Sustain Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial evidence 106/12/2013 104:02-104:06 Overrule Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial evidence 106/12/2013 Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial evidence 106/12/2013 Plantiff s 109:09-109:12 Overrule Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s 106/12/2013 Plantiff s 109:13-109:12 Overrule Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s 106/12/2013 Plantiff s 109:13-109:12 Overrule Rules 401, 402, 403 – Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s 106/12/2013 Plantiff s 109:13-109:12 Overrule 113:04-113:14 Plantiff s 100:13-103:13 Plantif	DEF COUNTER	Tessmer, Alex 06/12/2013	88:25-89:03			
Tessmer, Alex 102:25-103:16 Sustain Rules 401, 402, 403 - Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 104:02-104:06 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 109:09-109:12 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 109:13-109:22 Overrule Rules 401, 402, 403 - Testimony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 113:11-112:17 Overrule Rules 401, 402, 403 - Testmony relates to irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Tessmer, Alex 113:10-112:17 Overrule Overrule	DEF COUNTER	Tessmer, Alex 06/12/2013	89:09-89:12			
Tessmer, Alex	PL AFFIRM	Tessmer, Alex 06/12/2013	102:25-103:16	Sustain	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves migration, which is a failure mode at issue and applies to all Bard's filters
Tessmer, Alex	PLAFIRM	Tessmer, Alex 06/12/2013	104:02-104:06	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves migration, which is a failure mode at issue and applies to all Bard's filters
Tessmer, Alex 06/12/2013	PL AFFIRM	Tessmer, Alex 06/12/2013	109:09-109:12	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves migration, which is a failure mode at issue and applies to all Bard's filters
Tessmer, Alex 06/12/2013 Tessmer, Alex 06/12/2013 Tessmer, Alex 06/12/2013 Tessmer, Alex 06/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	109:13-109:22			
Tessmer, Alex 06/12/2013 Tessmer, Alex 06/12/2013 Tessmer, Alex 06/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	112:11-112:17			
Tessmer, Alex 06/12/2013 Tessmer, Alex 06/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	113:04-113:14			
Tessmer, Alex 06/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	142:21-142:25			
	DEF COUNTER	Tessmer, Alex 06/12/2013	143:02-143:21			
Tessmer, Alex 06/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	155:01-155:03			
DEF COUNTER TESSMER, Alex 159:24-160:05 06/12/2013	DEF COUNTER	Tessmer, Alex 06/12/2013	159:24-160:05			
DEF COUNTER Tessmer, Alex 160:07-160:09	DEF COUNTER	Tessmer, Alex 06/12/2013	160:07-160:09			

DESIGNEE	DEPONENT	DESIGNATIONS	RIIING	ORIECTION	RESPONSES TO ORIECTIONS
DEF COUNTER	Tessmer, Alex 06/12/2013	164:09-164:12			
PL AFFIRM	Tessmer, Alex 06/12/2013	231:13	Overrule	(Exhibit 14 and testimony) Rules 601/60.2 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/60.2 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was estblaished through the testimony of the witness
PL AFFIRM	Tessmer, Alex 06/12/2013	232:02-232:05 "this is dated"			
PL AFFIRM	Tessmer, Alex 06/12/2013	232:14	Overrule	(Exhibit 14 and testimony) Rules 601/60.2 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 60.1/60.2 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232.02-232.05.	Personal knowledge of the subject matter was established through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was member of the Filter Team.
PL AFFIRM	Tessmer, Alex 06/12/2013	232:17-233:12	Overrule	(Exhibit 14 and testimony) Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was established through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was member of the Filter Team. 25:24-26:02
PL AFFIRM	Tessmer, Alex 06/12/2013	233:22 "I don't know"	Overrule	(Exhibit 14 and testimony) Rules 601/60.2 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/60.2 & 61.2. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was established through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was a member of the Filter Team. 25:24-26:02
PL AFFIRM	Tessmer, Alex 06/12/2013	233:24-234:02	Overrule	(Exhibit 14 and testimony) Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was estblaished through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was a member of the Filter Team. 25:24-26:02
DEF COUNTER	Tessmer, Alex 06/12/2013	248:02-248:09 subject to objection	Sustain	FRE 401, 402,403: This is a portion of answer taken completely out of context. There is no question asked and therefore the statement is not responsive and as it is out context it is confusing and likely to mislead.	
PL AFFIRM	Tessmer, Alex 06/12/2013	255:12-255:15			
PL AFFIRM	Tessmer, Alex 06/12/2013	297:22-297:25	Sustain	(Exhibit 14 and testimony) Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232.02-232.05.	Personal knowledge of the subject matter was established through the testimony for the witherses. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was a member of the Filter Team. 25:24-26:03 and 29 09-29:11. It is proper to ue the Bard comprate document to evaleuate what he knew andor what infromation he was not given while working at Bard.
PL AFFIRM	Tessmer, Alex 06/12/2013	298:03-298:04	Sustain	(Exhibit 14 and testimony) Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was established through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was a member of the Filter Team and was at Bard during the development of the G2, 25:24-26:02 and 29:09-29:11. It is proper to ue the Bard comrprate document to evaluate what he knew andor what information he was not given while working at Bard.
PL AFFIRM	Tessmer, Alex 06/12/2013	298 07 "I don t recall"	Sustain	(Exhibit 14 and testimony) Rules 601/60.2 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/60.2 & 61.2. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was established through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was a member of the Filter Team and was at Bard during the develpment of the G2. 25:24-26:02 and 29:09-29:11. It is proper to ue the Bard comrprate document to evaluaate what he knew andor what infromation he was not given while working at Bard.

Tessmer 6.12.13

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Tessmer, Alex 06/12/2013	298:09-298:12	Sustain	(Exhibit 14 and testimony) Rules 601/602 & 612. Witness does not have personal knowledge of document Witness was shown a document, was not familiar with it and testified that he/she does not have personal knowledge about it or the circumstances. Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Witness was not at Bard when document was created. See 232 02-232 05.	Personal knowledge of the subject matter was established through the testimony of the witness. The document concerns subject matter that is within the area of responsibility he had when he was at Bard. He was a member of the Filter Team and was at Bard during the development of the G2. 25:24-26:02 and 29:09-29:11. It is proper to ue the Bard comprate document to evaluaate what he knew andor what infromation he was not given while working at Bard.
PL AFFIRM	Tessmer, Alex 06/12/2013	298:14-298:16	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves a failure mode at issue and applies to all Bard's filters. The Eclipse is essentially the Recovery and the G2 with only minor modifications.
PL AFFIRM	Tessmer, Alex 06/12/2013	299:23-300:06 Redact the words "and didn't have any patient death as a result of migration of the device" at Innes 1.8.7	Sustain	Rules 401, 402 - Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves a failure mode at issue and applies to all Bard's filters. The Eclipse is essentially the Recovery and the G2 with only minor modifications.
PL AFFIRM	Tessmer, Alex 06/12/2013	300:08-300:20	Sustain	Rules 401, 402 - 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves a failure mode at issue and applies to all Bard's filters. The Eclipse is essentially the Recovery and the G2 with only minor modifications.
PL AFFIRM	Tessmer, Alex 06/12/2013	300:22-301:01	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him have	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves a failure mode at issue and applies to all Bard's filters. The Eclipse is essentially the Recovery and the G2 with only minor modifications.
PL AFFIRM	Tessmer, Alex 06/12/2013	301:03-301:04 end "physicians"	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him have	Testimony involves the Recovery, which is the predicate of the filter at issue. Testimony is relevant to whether the Recovery and the filters based upon it have a defective design and defective warnings which is at issue. Testimony involves a failure mode at issue and applies to all Bard's filters. The Eclipse is essentially the Recovery and the G2 with only minor modifications.
DEF COUNTER	Tessmer, Alex 06/12/2013	308:09-308:10			
DEF COUNTER	Tessmer, Alex 06/12/2013	308:12-308:22			

SIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
COUNTER	Tessmer, Alex 01/29/2020	7:17-23:25			
COUNTER	Tessmer, Alex 01/29/2020	24:03-25:08			
COUNTER	Tessmer, Alex 01/29/2020	25:11-34:22			
COUNTER	Tessmer, Alex	34:25-38:16			
COUNTER	Tessmer, Alex 01/29/2020	38:18-39:04			
COUNTER	Tessmer, Alex	39:07-39:13			
COUNTER	Tessmer, Alex 01/29/2020	39:16-47:09			
COUNTER	Tessmer, Alex	47:11-49:16			
COUNTER	Tessmer, Alex 01/29/2020	49:18-50:16			
COUNTER	Tessmer, Alex	50:18-55:02			
COUNTER	Tessmer, Alex	55:04-58:02			
COUNTER	Tessmer, Alex 01/29/2020	58:04-60:18			
COUNTER	Tessmer, Alex	60:20-65:18			
AFFIRM	Tessmer, Alex	71:04-71:19			
AFFIRM	Tessmer, Alex	173:06-173:10	Overrule	Rules 401, 402, and 403 – testimony concerns what physician would have wanted	This testimony about the results of comparative testing is relevant to the question of design defect and reasonable care
AFFIRM	Tessmer, Alex 01/29/2020	173:12	Overrule	Rules 40,402, and 403 – testimony concerns what physician would have wanted to know, / would expert a manifacturer to tell him/her.	-
AFFIRM	Tessmer, Alex 01/29/2020	179:06-179:09 "some"	Overrule		not a hypothetical
AFFIRM	Tessmer, Alex 01/29/2020	179:11	Overrule	improper hypothetical.	testimony of the witness establishes his knowledge to answer
AFFIRM	Tessmer, Alex	179:13-179:17	Sustain	Rules 401, 402, and 403 – testimony concerns what physician would have wanted	This testimony about the results of comparative testing is relevant to the question of design defect and reasonable care
AFFIRM	Tessmer, Alex 01/29/2020	179:19-179:20	Sustain	.l -,' \	This testimony about the results of comparative testing is relevant to the question of design defect and reasonable care
AFFIRM	Tessmer, Alex	180:01-180:05	Sustain	Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would avoort a manifacturer to tell him/har	This testimony about the results of comparative testing is relevant to the question of desirn defect and reasonable care
AFFIRM	Tessmer, Alex	180:17-181:01	Overrule	Fulls 401, 402 and expect a manufacturer to tell him/her to know / would be expect a manufacturer to tell him/her	or deskin defect and reasonable core. This testimony about the results of comparative testing is relevant to the question of design placers and reasonable care.
AFFIRM	Tessmer, Alex	181:03-181:04	Overrule	Rules 401, 402, and 403 — testimony concerns what physician would have wanted to know / upuld a manufacturer to tall him has been / upuld a manufacturer to tall him him.	This testimony but the reconstruction comparative testing is relevant to the question of desiral defect and rescensible case
AFFIRM	01/29/2020 Tessmer, Alex 01/29/2020	181:08-181:11	Overrule	Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her.	or despitueted and resonance care. This testimon's being officed not as evidence of a failure to warn, but goes to the question of design defect, reasonable care and what Bard did or didn't do in resonance to internal test recults.
AFFIRM	Tessmer, Alex 01/29/2020	207:07-207:09			
AFFIRM	Tessmer, Alex 01/29/2020	211:22-211:25	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s positive value outweighed by prejudicial effect, particularly with Plaintiff s	This testimony is relevant. The witness was asked about his role in the development of the G2 filter, which is the predeccor of and nearly identical to the filter at issue. The question concerns testing done in the dvelopment process of
AFFIRM	Tessmer, Alex 01/29/2020	212:04-212:25		DUINNE GAIIBRES GIAILL DISHIISSEG.	75 311
AFFIRM	Tessmer, Alex 01/29/2020	213:06-213:13			
AFFIRM	Tessmer, Alex 01/29/2020	214:13-214:16			
AFFIRM	Tessmer, Alex 01/29/2020	215:03-215:05			
AFFIRM	Tessmer, Alex 01/29/2020	215:10-215:14			
AFFIRM	Tessmer, Alex 01/29/2020	216:13-217:18 begin at "but you"			

Tessmer 1.29.20 PL

ny does not involve filter at issue and/or failure any probative value outweighed by prejudicial tiff s punitive damages claim dismissed. ny does not involve filter at issue and/or failure at any probative value outweighed by prejudicial tiff s punitive damages claim dismissed. ny does not involve filter at issue and/or failure at any probative value outweighed by prejudicial tiff s punitive damages claim dismissed. ny does not involve filter at issue and/or failure at any probative value outweighed by prejudicial tiff s punitive damages claim dismissed. any probative value outweighed by prejudicial tiff s punitive damages claim dismissed. any probative value outweighed by the witness. See 234:10-14 Also, no answer designated. Answer is 237:12-14. Also, no answer designated. Answer is 237:12-14. andiation, witness does not have personal calls for speculation by the witness. See 234:10-14.	DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
220.07.280.02 Deetrule Public 401, 403, 403, Testimony does not involve filter at its sus and/or failure modes at its sus; irrelevant and any prochate value cutwelghot by populicial effect, particularly with Paintiff spurits damages claim dismissed. 220.07.280.15 Deetrule Public 401, 402, 403, Testimony does not involve filter at its sus and/or failure modes at its sus; irrelevant and any prochate value cutwelghot by progladisal effect, particularly with Paintiff spurits edinages claim dismissed. 220.19-221.20 Deetrule Public 401, 402, 403, Testimony does not involve filter at its sus and/or failure modes at its sus; irrelevant and any productive value cutwelghot by specialists Public 401, 402, 403, Testimony does not involve filter at its sus and/or failure modes at its sus; irrelevant and any productive value cutwelghot by specialists 220.2312.232.33 222.242.233 222.242.233 222.242.233 222.242.233 222.222.23 222.222.23 222.222.23 222.222.23 222.222.23 222.222.23 222.222.23 222.222.23 222.222.23 222.222.23 222.222.24 2	PL AFFIRM	Tessmer, Alex 01/29/2020	217:21-218:08	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	This testimony is relevant. The witness was asked about his role in the development of the G2 filter, which is the predeccor of and nearly identical to the filter at issue. The question concerns testing done in the dvelopment process of the G2
220.07.220.02 Devertive Role of 10, 40, 20, 20, 20, 200.02 Devertive Role of 20, 20, 20, 20, 20, 20, 20, 20, 20, 20,	DEF COUNTER	Tessmer, Alex 01/29/2020	218:15-218:18			
22019-22019 Describe Public at Load 2, 21 and 2, 20 and 2, 2	PL AFFIRM	Tessmer, Alex 01/29/2020	220:01-220:02	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	This testimony is relevant. The witness was asked about his role in the development of the G2 filter, which is the predeccor of and nearly identical to the filter at issue. The question concerns testing done in the dvelopment process of the G2.
22134-21102 Doernule Rules 401, 402, 423, 512 22134-21120 Doernule Rules 401, 402, 423, 512 22134-22130 Control of the strickle and york plaintif s puntive damages claim dismissed. 22134-22130 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22132 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22132 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22132 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22132 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22122 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22123 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22123 Control of the strickle and york plaintif s puntive damages claim dismissed. 2213-22124 Control of the strickle and york plaintif s puntive personal knowledge of subject matter, calls for speculation by the withous Sec 23-10-14 and 232-12-14. Also, no arrower delegate and have personal knowledge of subject matter, calls for speculation by the withous Sec 23-10-14 and 232-12-13. 221-22124 Control of the strickle and york proposal control of the strickle and york personal knowledge of subject matter, calls for speculation by the withous Sec 23-10-14 and 232-12-13. 221-22-22-22-23-23-23-23-23-23-23-23-23-23-	PL AFFIRM	Tessmer, Alex 01/29/2020	220:07-220:16	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; frrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	This testimony is relevant. The witness was asked about his role in the development of the G2 filter, which is the predeccor of and nearly identical to the filter at issue. The question concerns testing done in the dvelopment process of the G2
223.14.22.20 222.24.22.30 223.11.22.20 223.12.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.22.20 223.0.2.23.20 223.0.20 223.0.20 223.0.20 223.0.20 223.0.20 223.0.20 223.0.20 223.0.20 223.0.20 223.0.20	PL AFFIRM	Tessmer, Alex 01/29/2020	220:19-221:02	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plantiff's punitive damages claim dismissed.	This testimony is relevant. The witness was asked about his role in the development of the G2 filter, which is the predeccor of and nearly identical to the filter at issue. The question concerns testing done in the dvelopment process of
223-23-232-23 221-2227-20 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 223-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22 23-22-22-22-22-22 23-22-22-22-22-22-22-22-22-22-22-22-22-2	PL AFFIRM	Tessmer, Alex 01/29/2020	221:14-221:20			
223-2224 224-12220 224-122224 224-122224 224-122224 224-122224 224-122222 224-122222 224-122222 224-122222 226-122222 226-122222 226-122222 226-122222 226-1222224 224-122222 226-1222224 224-1222224 224-1222224 224-12-12224 224-12-12224 224-12-12224 224-12-12224 224-12-12224 224-12-12-12224 224-12-12-12224 224-12-12-12-12-12-12-12-12-12-12-12-12-12-	PL AFFIRM	Tessmer, Alex 01/29/2020	222:24-223:01			
223-23-23-9 224-01-224-23 227-12-227-20 228-03-229-13 228-03-229-13 228-03-229-13 228-03-229-13 228-03-229-13 229-24-229-25 229-24-229-25 229-24-229-25 229-23-24-29-25 229-23-24-29-25 229-23-24-29-25 229-23-24-29-25 229-23-24-29-25 229-23-24-29-25 229-23-24-29-25 229-23-24-29-25-25 229-23-24-29-25-25 229-23-24-29-25-25-25 229-23-23-24-29-25-25-25-25-25-25-25-25-25-25-25-25-25-	PL AFFIRM	Tessmer, Alex 01/29/2020	223:11-223:20 end "G1A"			
227:12-227:20 228:02-228:07 228:02-228:07 228:02-228:07 228:02-228:07 228:02-228:05 229:24-229:25 229:04-229:25 229:04-229:25 229:04-229:25 229:04-229:25 229:04-229:24 229:02-23:04 229:02	PL AFFIRM	Tessmer, Alex 01/29/2020	223:23-223:24			
227.12-227.20 228.03-228.07 228.03-228.07 228.03-228.15 229.24-229.25 230.02 230.04-230.15 230.04-230.15 230.04-230.24 231.21-231.24 231.21-232.24 231.22-33.04 233.02-235.04 233.02-235.04 235.03-235.04 235.03-237.04 235.03-237.04 235.03-237.04 237.07-237.10 235.12-237.14 237.12-237.14 237.12-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 238.03-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.14 237.12-237.17 237.12-237.14 238.22-238.22 237.12-237.14 238.22-238.22 237.12-237.14 238.22-238.22 237.12-237.14 238.22-238.22 237.12-237.14 238.22-238.22 238.22-238	PL AFFIRM	Tessmer, Alex 01/29/2020	224:01-224:23			
228:09-229:13 228:09-229:13 228:09-229:13 230:04-230:15 230:04-230:15 230:04-230:15 230:02-233:04 233:20-234:04 233:20-234:04 233:20-234:04 233:20-234:04 233:20-234:04 233:20-233:04 233:20-233:10 235:23-237:04 235:23-237:04 237:07-237:10 237:12-237:14 237:12-237:10 237:12	PL AFFIRM	Tessmer, Alex 01/29/2020	227:12-227:20			
228:09-229:13 228:15-228:16 229:24-229:25 230:04-230:15 230:04-230:15 230:04-230:15 230:04-230:15 231:21-231:24 233:02-233:04 233:02-233:04 233:02-233:04 235:02-235:04 235:02-237:04 237:02-237:10 237:12-237:14 237:12-237:14 Sustain Rules 601/602 & 612. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14	EF COUNTER	Tessmer, Alex 01/29/2020	228:02-228:07			
228:15-228:16 220:24-229:25 230:04-230:15 230:04-230:15 230:04-230:15 230:12-231:24 233:02-233:04 233:02-233:04 233:02-233:04 233:02-235:10 235:12-235:15 235:12-235:15 235:12-237:14 235:12-237:14 237:12-237:14 237:12-337:21 Sustain Rules 601/602 & 612. Lack foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-15 and 237:12-14. 237:16-237:21 237:16-237:21 237:16-237:21 237:16-237:21 238:22-237:21 238:23-237:21 237:16-237:21 237:16-237:21 238:23-237:21 238:23-237:21 237:16-237:21	PL AFFIRM	Tessmer, Alex 01/29/2020	228:09-229:13			
230.04-230.15 230.04-230.15 230.04-230.15 230.19-231.09 231.21-231.24 232.15-232.24 233.20-234.04 234.10-234.14 235.23-235.25 235.23-235.25 235.23-235.25 235.23-237.04 235.23-237.04 237.22-237.14 237.22-237.14 237.12-237.14 237.12-237.14 237.12-237.14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234.10-14 and 235.12-15 and 237.12-4. Also, no answer designated. Answer is 237.12-14. 237.16-237.21 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234.10-14 knowledge of subject matter, calls for speculation by the witness. See 234.10-14	EF COUNTER	Tessmer, Alex 01/29/2020	228:15-228:16			
230.04-230:15 230.04-230:15 230.04-230:15 231:21-231:24 232:22-232:24 233:02-234:04 233:02-234:04 233:02-234:04 235:02-237:04 235:02-237:04 235:02-237:04 237:12-237:10 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-237:14 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-37:21 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14	PL AFFIRM	Tessmer, Alex 01/29/2020	229:24-229:25			
230:19-231:09 231:21-231:24 232:15-232:24 233:02-234:04 233:02-233:04 235:12-235:10 235:12-235:10 235:12-237:10 237:12-237:14 237:12-237:14 237:12-237:14 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. Also, no answer is 237:12-14. Answer is 237:12-14. Also, no answer is 237:12-14. Answer is 237:12-14. Also, no answer is 237:12-14.	PL AFFIRM	Tessmer, Alex 01/29/2020	230 02			
231:21-231:24 231:21-231:24 233:20-233:04 233:20-233:04 233:20-233:04 233:20-233:04 233:20-235:10 235:12-235:10 235:12-237:07 235:12-237:10 235:12-237:10 237:12-237:11 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal and 237:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal and 237:12-15 and 237:12-14. Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal and 237:12-13 and 237:12-14. Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal and 237:12-13 and 237:12-14.	PL AFFIRM	Tessmer, Alex 01/29/2020	230:04-230:15			
231.21-231.24 232.15-232.24 233.20-234.04 233.20-234.14 235.09-235.10 235.10-235.15 235.12-235.15 813.20-235.10 235.12-237.10 8ules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234.10-14 and 235.12-15 and 237.12-4. Also, no answer designated. Answer is 237.12-14. 237.12-237.21 8ules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234.10-14 knowledge of subject matter, calls for speculation by the witness. See 234.10-14	PL AFFIRM	Tessmer, Alex 01/29/2020	230:19-231:09			
233.02-233.04 233.02-233.04 233.02-234.04 235.12-235.15 235.12-235.15 235.12-237.04 237.12-237.14 237.12-237.21 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234.10-14 and 235.12-15 and 237.12-4. Also, no answer designated. Answer is 237.12-14 and 237.12-15 and 237.12-16 and 237.12-17 and 237.12-18 and 237.12-19 and 237.12-14 and 237.12	PL AFFIRM	Tessmer, Alex 01/29/2020	231:21-231:24			
233.20-233:04 233.20-234:04 233.20-234:14 235.19-235:15 235.12-235:15 235.25-237:04 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-337:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 237:12-237:21	PL AFFIRM	Tessmer, Alex 01/29/2020	232:15-232:24			
233:20-234:04 234:10-234:14 235:12-235:15 235:12-235:15 235:25-237:04 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 237:12-15 and 237:12-14.	PL AFFIRM	Tessmer, Alex 01/29/2020	233:02-233:04			
235.09-235:10 235.12-235:15 235.12-237:04 237.07-237:10 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237.12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-13 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14.	PL AFFIRM	Tessmer, Alex 01/29/2020	233:20-234:04			
235.12-235:15 235.12-235:15 235.12-237:04 237.07-237:10 Sustain Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 237:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:16-237:21 Sustain Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 237:12-237:12.	EF COUNTER	Tessmer, Alex 01/29/2020	234:10-234:14			
235:12-235:15 235:13-235:20 235:25-237:04 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-237:14.	PL AFFIRM	Tessmer, Alex 01/29/2020	235:09-235:10			
235.25-237:04 8ules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14.	EF COUNTER	Tessmer, Alex 01/29/2020	235:12-235:15			
237:25-237:04 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-237:21.	PL AFFIRM	Tessmer, Alex 01/29/2020	235:13-235:20			
237:07-237:10 Sustain Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14. 237:12-237:14 Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14	PL AFFIRM	Tessmer, Alex 01/29/2020	235:25-237:04			
237:12-237:14 Sustain Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14	PL AFFIRM	Tessmer, Alex 01/29/2020	237:07-237:10	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10 -14 and 235:12-15 and 237:12-4. Also, no answer designated. Answer is 237:12-14.	This testimony is relevant. The witness was asked about his role in the development of the G2 filter, which is the predeccor of and nearly identical to the filter at issue. The question concerns testing done in the dvelopment process of the G2
237:16-237:21 Sustain Rules 601/602 & 6.12. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. See 234:10-14	EF COUNTER	Tessmer, Alex 01/29/2020	237:12-237:14			
	PL AFFIRM	Tessmer, Alex 01/29/2020	237:16-237:21	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of social records after, calls for speculation by the witness. See 234:10-14	testimony of the witness establishes his knowledge to answer

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DECIONEE	TIADIAOGIA	SNOTANDISTO	ONLING	DBICTION	PECONICE TO OBJECTIONS
DESIGNEE	DEPONENT	DESIGNATIONS	ROLING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Tessmer, Alex	238:01-238:09	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal	testimony of the witness establishes his knowledge to answer
	01/29/2020			knowledge of subject matter, calls for speculation by the witness. See 234:10 -14	
				and 235:12-15 and 237: 12-4	
PL AFFIRM	Tessmer, Alex	243:23-244:08			
	01/29/2020				
DEF COUNTER	Tessmer, Alex	244:18-244:20			
	01/29/2020				
DEF COUNTER	Tessmer, Alex	244:22-244:24			
	01/29/2020				

DESIGNEE	DEPONENT	DESIGNATIONS	BIIING	OBJECTION	BESDONSES TO OBJECTIONS
DEF AFFIRM	Tessmer, Alex	7:17-23:25	Overrule	RE 402	The witness is an engineer and testifying about the engineering work done at
DEF AFFIRM	01/29/2020 Tessmer, Alex	24:03-25:08	Overrule	24:14-25:08 FRE 402; FRE 602 The	Bard. It is directly relevant to the issues in this case. The witness is explaining what work he did in the testing of the filter.
DEF AFFIRM	01/29/2020 Tessmer, Alex	25:11-34:22	Overrule	28:05-30:16 FRE 402 Th	The witness is explaining what work he did in the testing of the filter.
DEF AFFIRM	01/29/2020 Tessmer. Alex	34:25-38:11			
	01/29/2020				
DEF AFFIRM	Tessmer, Alex 01/29/2020	38:18-39:04			
DEF AFFIRM	Tessmer, Alex 01/29/2020	39:07-39:13			
DEF AFFIRM	Tessmer, Alex 01/29/2020	39:16-47:09			
DEF AFFIRM	Tessmer, Alex 01/29/2020	47:11-49:08			
DEF AFFIRM	Tessmer, Alex 01/29/2020	49:14-49:16			
DEF AFFIRM	Tessmer, Alex 01/29/2020	49:18-50:12			
DEF AFFIRM	Tessmer, Alex 01/29/2020	50:16			
DEF AFFIRM	Tessmer, Alex 01/29/2020	50:18-55:02			
DEF AFFIRM	Tessmer, Alex 01/29/2020	55:04-58:02			
DEF AFFIRM	Tessmer, Alex 01/29/2020	58:04-60:18	Overrule	60:16-60:18 leading Th	The question does not suggest the answer.
DEF AFFIRM	Tessmer, Alex 01/29/2020	60:20-65:18			
PL COUNTER	Tessmer, Alex 01/29/2020	90:05-90:22			
PL COUNTER	Tessmer, Alex 01/29/2020	90:24-90:25			
PL COUNTER	Tessmer, Alex 01/29/2020	91:22-91:24			
PL COUNTER	Tessmer, Alex 01/29/2020	92:02 through "yeah"	Sustain	Incomplete answer. The complete answer is lines 2-7.	
DEF COUNTER TO	Tessmer, Alex 01/29/2020	92:02-92:07			
PL COUNTER	Tessmer, Alex 01/29/2020	113:06-113:23			
PL COUNTER	Tessmer, Alex 01/29/2020	148:20-148:24			
PL COUNTER	Tessmer, Alex 01/29/2020	149:01-149:03			
PL COUNTER	Tessmer, Alex 01/29/2020	156:16-156:24			
DEF COUNTER TO	Tessmer, Alex 01/29/2020	156:25-157:04			
PL COUNTER	Tessmer, Alex 01/29/2020	158:14-158:18			
PL COUNTER	Tessmer, Alex 01/29/2020	175:15-175:18			
PL COUNTER	Tessmer, Alex 01/29/2020	175:20-175:21			
PL COUNTER	Tessmer, Alex 01/29/2020	236:18-236:25			
PL COUNTER	Tessmer, Alex 01/29/2020	237:01-237:04			
PL COUNTER	Tessmer, Alex 01/29/2020	237:07-237:10	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintifs punitive damages claim dismissed. There is no alleation of migration in this case.	
PL COUNTER	Tessmer, Alex 01/29/2020	237:12-237:14			
PL COUNTER	Tessmer, Alex 01/29/2020	247:11-247:17			
PL COUNTER	Tessmer, Alex 01/29/2020	247:19-247:22			
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	ONS
PL COUNTER	Tessmer, Alex	247:24-247:25			
	01/29/2020				
PL COUNTER	Tessmer, Alex	248:01-248:03			
	01/29/2020				
DEF COUNTER TO	Tessmer, Alex	248:06-248:08			
COUNTER	01/29/2020				
DEF COUNTER TO	Tessmer, Alex	248:10-248:13			
COUNTER	01/29/2020				
PL COUNTER	Tessmer, Alex	256:25	Sustain	Takes testimony out of context. The context is 256:7-12 and 256:15-23	
	01/29/2020	starting with "you"			
PL COUNTER	Tessmer, Alex	257:01-257:03			
	01/29/2020				
PL COUNTER	Tessmer, Alex	257 05			
	01/29/2020				
DEF COUNTER TO	Tessmer, Alex	257:07-257:11			
COUNTER	01/29/2020				
DEF COUNTER TO	Tessmer, Alex	257:15-257:21			
COUNTER	01/29/2020				
DEF COUNTER TO	Tessmer, Alex	257:24			
COUNTER	01/29/2020				

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Tessmer, Alex	278:09-278:21	Overrule	FRE 402; Non-responsive after "not at all"	Objection was not made at the time of the testimony and is waived
DEF AFFIRM	Tessmer, Alex	278:25-279:10	Overrule	FRE 402; Non-responsive after "not "	Objection was not made at the time of the testimony and is waived
	11/17/2020				
DEF AFFIRM	Tessmer, Alex	280:21-282:02			
	11/17/2020				
DEF AFFIRM	Tessmer, Alex	283:14-284:10	Overrule	FRE 402	This is redirect of testimony from cross by plaintiff.
	11/17/2020				
DEF AFFIRM	Tessmer, Alex	284:18-285:08	Overrule	FRE 602 - calls for speculation 402	There is no speculation - the witness is explaining the testing that he did.
	11/17/2020	begin at "Mr. Tessmer"			
DEF AFFIRM	Tessmer, Alex	285:15-286:07	Overrule	FRE 802; FRE 602	The testimony is not hearsay - it is not offered for the truth of the matter
	11/17/2020				asserted but to explain the witness' actions
PL COUNTER	Tessmer, Alex	336:25			
	11/17/2020				
PL COUNTER	Tessmer, Alex	337:01-337:10			
	11/17/2020				
DEF COUNTER TO	Tessmer, Alex	337:23-341:24			
COLINTER	0505/21/11				

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PI BLANKET OBJECTION				tion to Relevance & FRE 701: Plaintiff objects on grounds that this ot relevant to this case, that this witness has no personal knowledge to this case, and that this is an attempt to elicit expert opinions in the designated as such in violation of FRE 701. Plaintiff makes his nations in the event the court overrules his objections.	Bard's response to Plaintiffs "Running Objection to Relevance & RE 701": Plaintiff's tunning objection was over-ruled in the MDL, where the Court stated." The Court questions generally were about the doctor's own practice and personal experience using IVC filters — matters the Court regards as relevant factual evidence rather than expert opinion under Rule 702." Eurthermore, Dr. Terotola was deposed in the MDL because of his work, over many years, with IVC filters and his studies of IVC filters, including Bard filters and because of the work he did directly with Bard as a consultant to it on IVC filters. Dr. Terrotola is the Chief or interventional radiology at the Hospital of the Luniversity of Terrotola sits the Chief or interventional radiology at the Hospital of the Luniversity of Terrotola sits and warnings relevant to steps Bard took to obtain medical expert input on the design, use and warnings relevant to steps Bard took to obtain medical expert input on the design, use and warnings relating to lis filters, as well as to what medical doctors retrieval and other filter related information. His testimony is based on his own personal knowledge through his experience as a medical doctor as to the indications for, complications associated with, implantation and reflexed of (Telters, His testimony, elicited principally through questions by plaintiff s course), necessarily provides information based on his experience with IVC filters but he is not a lay withrass improperly offering expert opinions rather he is a witness with fact information relevant to these cases.
DEF AFFIRM	Trerotola, Scott 01/20/2017	5:24-6:04			
DEF AFFIRM	Trerotola, Scott 01/20/2017	6:07-6:16			
PL COUNTER	Trerotola, Scott	8:03-9:23	Overrule	This is not a proper counter designation. It is not necessary. Plaintiff should have designated the testimony affirmatively.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination. See PTC Hearing Transcript 4/20/2021 p. 60.
DEF AFFIRM	Trerotola, Scott 01/20/2017	9:24-10 03	Overrule	(9:25) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his experience implanting filters is not relevant. (10:01-10:03) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his experience implanting filters is not relevant.	(9:25 – 10 03) The witness is simply introducing himself and describing his background, and completing his answer to questions designated by Plaintiff immediately above. He is not giving expert opinion testimony.
PL COUNTER	Trerotola, Scott 01/20/2017	10:06-11:06	Overrule	This is not a proper counter designation. It is not necessary. Plaintiff should have designated the testimony affirmatively.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination. See PTC Hearing Transcript 4/20/2021 p. 60.
PL COUNTER	Trerotola, Scott 01/20/2017	12:16-12:19 beginning with ""Do""	Sustain	e witness states "I don t think I am qualified	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and exprose notential has.
PL COUNTER	Trerotola, Scott 01/20/2017	12:21-12:22			
PL COUNTER	Trerotola, Scott 01/20/2017	14:01-14:03	Overrule		Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias.
DEF AFFIRM	Trerotola, Scott 01/20/2017	16:04-16:07	Overrule	(16:04-16:07) FRE 401, 402 701. FRCP 26(a)(2)(C) - Relevance - Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his employment as retained expert or lack thereof in other litieation is not relevant.	
DEF AFIRM	Trerotola, Scott 01/20/2017	19:07-19:14	Sustain	(19:07-19:14) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opionions as to whether physicians rely upon manufacturers for safety information is not relevant an he is not qualified to give that oninini this case.	
PL COUNTER	Trerotola, Scott 01/20/2017	19:23-20:05			
DEF AFFIRM	Trerotola, Scott 01/20/2017	20:06-20:09	Overrule	(20:06-20:09) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his experience implanting filters is not relevant.	(20:06 - 20:14) Dr. Trerotola was deposed at the instance of Plaintiffs, in the MDL, because of his work over many years as a consultant to Bard on its IVC filters. This testimony involves his answering Plaintiff's counsel s question about the various IVC filters he has placed. The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness.
PL COUNTER	Trerotola, Scott 01/20/2017	21:17-21:22			
PL COUNTER	Trerotola, Scott 01/20/2017	22:03-22:06 beginning with ""I speak""			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFFIRM	Trerotola, Scott 01/20/2017	22:24-23:06	Overrule	FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opionions as to whether physicians rely upon manufacturers for safety information is not relevant an he is not qualified to give that opinion in this case	(22:24 – 23:06) Dr. Trerotola was deposed at the instance of Plaintiffs, in the MDL, because of his work over many years as a consultant to Bard on its IVC filters. In this testimony, the witness answers a question by Plaintiff s counsel about his experience and expectations relative to the use of IVC filters. The testimony is experience as a medical doctor in the use of IVC filters, and goes to his conditions as untrace.
DEF AFFIRM	Trerotola, Scott 01/20/2017	23:14-23:22			
PL COUNTER	Trerotola, Scott 01/20/2017	24:14-24:24	Sustain	(24:14 - 24:19) Rules 601, 602, lack of foundation.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product.
PL COUNTER	Trerotola, Scott 01/20/2017	25:19-25:21	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case, Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	26:01-26:03	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	26:05-26:06	Sustain	Rules 601, 602, lack of foundation. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	26:13-26:22	Sustain	(26:19 – 26:21) Rules 601, 602, lack of foundation. Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	27:02-27:04	Sustain	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case, Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	27:14-27:21	Sustain	Rules 401, 402, and 403 – testimony concems what physician would have wanted to know / would expect a manufacturer to tell him/her; irrelevant with Plaintiff s failure to warn claim dismissed. Not a counter to testimony designated	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	28:10-28:19	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	29:23-30:03	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF AFIRM	Trerotola, Scott 01/20/2017	31:17-31:24	Overrule	(31:17-31:24) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions as to whether he relies upon manufacturers for safety information is not relevant and he is not qualified to give that opinion in this case. Testimony regarding the 510(k), FDA regulations, and SIR are not relevant and Plaintiff incorporates his arguments from the MILs on these subjects.	
PL COUNTER	Trerotola, Scott 01/20/2017	35:13-35:19			
PL COUNTER	Trerotola, Scott 01/20/2017	36:04-37:04			
PL COUNTER	Trerotola, Scott 01/20/2017	37:09-38:10			
PL COUNTER	Trerotola, Scott 01/20/2017	40:16-41:11			
PL COUNTER	Trerotola, Scott 01/20/2017	41:24-42:05			
PL COUNTER	Trerotola, Scott 01/20/2017	42:19-43:08			
PL COUNTER	Trerotola, Scott 01/20/2017	45:12-45:22			
PL COUNTER	Trerotola, Scott 01/20/2017	46:09-46:11			
PL COUNTER	Trerotola, Scott 01/20/2017	48:14-48:23			
PL COUNTER	Trerotola, Scott 01/20/2017	49:20-50:03			
PL COUNTER	Trerotola, Scott 01/20/2017	52:07-52:11	Overrule	Rules 401, 402, 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his redibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Band's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	52:21-53:01			
DEF AFFIRM	Trerotola, Scott 01/20/2017	53:23-54:12	Overrule	(54:06-54:12) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions as to what the term "optional filter" is not relevant and he is not qualified to give that opinion in this case.	[64:06 - 54:12] The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal
PL COUNTER	Trerotola, Scott	55:22-55:24			THE CONTRACT OF THE CONTRACT O
PL COUNTER	Trerotola, Scott 01/20/2017	57:06-57:14			
PL COUNTER	Trerotola, Scott 01/20/2017	58:10-58:17	Overrule	Rules 401, 402 and 403 not relevant and not a counter to prior testimony	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product.
PL COUNTER	Trerotola, Scott 01/20/2017	59:09-59:17	Overrule	Rules 401, 402 and 403 not relevant and not a counter to prior testimony	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his redibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	63:18-63:24			
PL COUNTER	Trerotola, Scott 01/20/2017	74:24-76:05			
DEF AFFIRM	Trerotola, Scott 01/20/2017	77:11-77:16	Overrule	(77:11-77:16)FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions as to the significance of the ease of retrievability is not relevant and he is not qualified to give that opinion in this case.	The Plaintiff's object was over-ruled in the MDL. The testimony was allowed. (77:11 - 77:23) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counse, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge.

DECIGNEE	DEDONENT	SECUTATIONS	ONLING	I I I I I I I I I I I I I I I I I I I	DESDONSES TO OBJECTIONS
DEF AFFIRM	Trerotola, Scott 01/20/2017	78 08-80:10	Overrule	FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not a retained expert in this case and he is not a treating physician. Is a lay witness and his opinions as to what risk are related to IVC effect of complications on retrieval is not relevant and he is not what opinion in this case.	(78:08 - 78:20) The testimony is relevant to his experience as a medical doctor in the use of IVfoc flers, and goes to his credibility as a witness. His testimony, elicited principally through questions by palariff's sounsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal
PL COUNTER	Trerotola, Scott 01/20/2017	79:10-79:17			in nwiledise
DEF COUNTER TO COUNTER	Trerotola, Scott 01/20/2017	79:18-80:01			
PL COUNTER	Trerotola, Scott 01/20/2017	80:11-80:22			
DEF AFFIRM	Trerotola, Scott 01/20/2017	83:16-83:18	Overrule	(83:16-83:18) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance - Dr. Trerotola is not (designated as a retained expert in this case and his use of G2 filters is not relevant. the first of the case and his use of G2 filters is not relevant.	(83:06 - 83:18) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness information based on his expertise with IVC filters but he is not a lay witness incorporaty offering expert opinions. The testimony is based on his own personal
PL COUNTER	Trerotola, Scott 01/20/2017	84:21-85:19	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotoda is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	86:09-86:24	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question s directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	87:04-87:06	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott 01/20/2017	87:14-88:06	Overrule	Rules 401 & 402 — Irrelevant. Testimony does not involve filter/product at issue. It	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola expresents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
PL COUNTER	Trerotola, Scott	92:01-92:12	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola expresents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the fix warnings and filter design. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the elevance probative value of such testimony regarding the design process from the Recovery filter. Judge Campbell references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL COUNTER	Trerotola, Scott 01/20/2017	92:17-93:03	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL COUNTER	Trerotola, Scott 01/20/2017	93:08-93:11	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the fix warnings and filter design. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
DEF AFFIRM	Trerotola, Scott 01/20/2017	94:23-95:07	Overrule	FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance - Dr. Trerotola is not designated as a retained expert in this case and his use of G2 filters is not relevant. FRE 802 - the question calls for a hearsay response.	The Plaintiff's objection was over-ruled in the MDL. The testimony was allowed. (94.23–94.24) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness information based on his expert opinions. The testimony is based on his own personal
PL COUNTER	Trerotola, Scott 01/20/2017	98:16-99:07			
PL COUNTER	Trerotola, Scott 01/20/2017	99:15-99:21			
DEF AFFIRM	Trerotola, Scott 01/20/2017	102:12-102:18	Overrule	FRE 401, 402 701, FRCP 26(a)(2)(C) - FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinion as to the effect of caudal migration is not relevant and he is not qualified to give that opinion in this case	
PL COUNTER	Trerotola, Scott 01/20/2017	103:18-104:03			
PL COUNTER	Trerotola, Scott 01/20/2017	105:12-105:17			
DEF AFFIRM	Trerotola, Scott 01/20/2017	107:02-107 08	Overrule	FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions as to the effect of penetration and tilt on retrieval are not relevant and he is not qualified to give those opinions in this case.	
PL COUNTER	Trerotola, Scott 01/20/2017	107:13-108:02			
PL COUNTER	Trerotola, Scott 01/20/2017	108:10-108:12			
PL COUNTER	Trerotola, Scott 01/20/2017	108:18-108:23			
PL COUNTER	Trerotola, Scott 01/20/2017	121:20-122:04	Overrule	Rules 601, 602, lack of foundation.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product.
PL COUNTER	Trerotola, Scott 01/20/2017	123:18-123:21 beginning with ""You""			
PL COUNTER	Trerotola, Scott 01/20/2017	124:07-124:17	Overrule	Rules 401, 402 and 403. Not relevant	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is cliently relevant the reasonableness of Bard's conduct, with regard to the its warnings and filter design. The references do not include caphalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).

DESIGNEE DEF AFFIRM	FINE				
DEF AFFIRM	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
	Trerotola, Scott 01/20/2017	125:16-125:22	Overrule	(125:16-125:22) FRE 403, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions regarding testing by Bard are not relevant and he is not qualified to give opinions in this case.	In 125.01 – 125.07) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff sourned, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge. (125:16 - 125:24) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff scounsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge.
DEF AFFIRM	Trerotola, Scott 01/20/2017	125:24-126 05	Overrule	(125:24-126.05) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions regarding testing by Bard are not relevant and he is not qualified to give opinions in this case.	(125:16 - 125:24) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge. (126:01 - 126:15) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge.
DEF AFFIRM	Trerotola, Scott 01/20/2017	126:07-126:15	Overrule	(126:01-126:15) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions regarding testing by Bard are not relevant and he is not qualified to give opinions in this case.	(126:01 - 126:15) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal brownloads.
DEF COUNTER TO COUNTER	Trerotola, Scott 01/20/2017	132:16-132:22			
PL COUNTER	Trerotola, Scott 01/20/2017	133:05-133:13			
PL COUNTER	Trerotola, Scott 01/20/2017	134:24-135:11			
PL COUNTER	Trerotola, Scott 01/20/2017	137:04-137:11	Overrule	Rules 401 & 402 – Irrelevant. Testimony does not involve filter/product at issue.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross seamination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to migration death from the Recovery filter. Judge Campbell recognised the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
DEF COUNTER TO COUNTER	Trerotola, Scott 01/20/2017	137:12-137:18			
PL COUNTER	Trerotola, Scott 01/20/2017	138:07-138:10	Overrule	Rules 401, 402. 403. Testimony regarding Sales/Marketing does not relate to the claims or causes of action at issue in the case; Irrelevant and any probative value outweighed by prejudicial effect. Not a counter to testimony designated.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognised the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
DEF COUNTER TO COUNTER	Trerotola, Scott 01/20/2017	138:11-138:17			

DEDONIENT	DECICALATIONS	SMITTE	OBIECTION	PESDONSES TO OPICATIONS
Trerotola, Scott 01/20/2017	141:20-142:22	Overrule	Rules 401, 402, 403, testimony does not relate to the filter at issue, probative value outweighed by prejudicial effect.	Dr. Trerotola is being called as a lay witness for the defense. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician who not receive. The question s directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
Trerotola, Scott 01/20/2017	145:09-145:12	Overrule	Rules 601, 602, lack of foundation.	There is not lack of foundation it is an email he sent to Janet Hudnall a Bard Senior Product Manager who was involved in the development of the G2 filter. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trentola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician who not receive. The question s directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
Trerotola, Scott 01/20/2017	145:15-145:17	Overrule	Rules 601, 602, lack of foundation.	There is no lack of foundation it is an email he sent to Janet Hudnall a Bard Senior Product Manager who was involved in the development of the G2 filter. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician who no receive. The questions directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
Trerotola, Scott 01/20/2017	145:19-145:24	Overrule	Rules 601, 602, lack of foundation.	There is no lack of foundation it is an email he sent to Janet Hudnall a Bard Senior Product Manager who was involved in the development of the G2 filter. This is proper cross examination to determine the depth of his knowledge, challenge his reredibility and expose potential bias. The questioning also reflects whether Dr. Trentolal represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician who no receive. The question s directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
17erotola, Scott 01/20/2017	147:14-148:06	Overrule	Rules 401, 402, 403, testimony does not relate to the filter at issue, probative value outweighed by prejudicial effect. Subject to objection, Bard counters 148: 14 – 19	There is no lack of foundation it is an email he sent to Janet Hudnall a Bard Senior Product Manager who was involved in the development of the G2 filter. This is proper cross examination to determine the depth of his knowledge, challenge his reredibility and expose potential bias. The questioning also reflects whether Dr. Trentotal represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician who no receive. The question s directly relevant the reasonableness of Bard's conduct with regard to its warnings and filter design.
Trerotola, Scott 01/20/2017	148:14-148:19			
Trerotola, Scott 01/20/2017	153:17-155:03	Overrule	Rules 401, 402, 403, testimony does not relate to the filter at issue, probative value outweighed by prejudicial effect. Subject to objection, Bard counters 155:4–9, and 167:15–22, 168:1–16.	There is no lack of foundation it is an email he sent to Janet Hudnall a Bard Senior – Product Manager who was involved in the development of the G2 filter. This is proper cross examination to determine the depth of his knowledge, challenge his recedibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician who no receive. The question s directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
Trerotola, Scott 01/20/2017	155:04-155:09			
Trerotola, Scott 01/20/2017	157:09-157:21			
Trerotola, Scott	160:09-161:05			250

RESPONSES TO OBJECTIONS				There is no lack of foundation Dr. Trerotola testified he is a consultant to Bard and ive value is outweighed by in that role takes he has trained physicians to use Bard's IVC filters and takes calls or filter complaints from physicians to out of the world. This is proper cross deas not know the author or examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician would no receive and points out that as Bard's consultant he does no consider the Bard filters to be permanent devices. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warmings and filter design.	There is no lack of foundation Dr. Trerotola testified he is a consultant to Bard and ive value is outweighed by in that role takes he has trained physicians to use Bard's IVC filters and takes calls for filter complaints from physicians to ound the world. This is proper cross does not know the author or examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician would no receive and points out that as Bard's consultant he does no consider the Bard filters to be permanent devices. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warmings and filter design.	There is no lack of foundation Dr. Trerotola testified he is a consultant to Bard and ive value is outweighed by in that role takes he has trained physicians to use Bard's IVC filters and takes calls or filter complaints from physicians to out of the world. This is proper cross adoes not know the author or examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician would no receive and points out that as Bard's consultant he does no consider the Bard filters to be permanent devices. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.	There is no lack of foundation Dr. Trerotola testified he is a consultant to Bard and twe value is outweighed by in that role takes he has trained physicians to use Bard's IVC filters and takes calls for filter complaints from physicians round the world. This is proper cross does not know the author or examination to determine the depth of his knowledge, challenge his credibility what the author meant by the and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician would no receive and points out that as Bard's consultant he does no consider the Bard filters to be
OBJECTION	(165:17 – 165:20) Attorney colloquy should be withdrawn.			Rules 401, 402, the document shown to the witness relates to a filter and complication mode not at issues in this case, probative value is outweighed by prejudicial effect. Rules 601, 602, lack of foundation. The witness is shown a document he has never seen, he did not author, he does not know the author or recipient of the document and it asked to interpret what the author meant by the document.	Rules 401, 402, the document shown to the witness relates to a filter and complication mode not at issues in this case, probative value is outweighed by prejudicial effect. Rules 601, 602, lack of foundation. The witness is shown a document he has never seen, he did not author, he does not know the author or recipient of the document and it asked to interpret what the author meant by the document.	Rules 401, 402, the document shown to the witness relates to a filter and complication mode not at issues in this case, probative value is outweighed by prejudicial effect. Rules 601, 602, lack of foundation. The witness is shown a document he has never seen, he did not author, he does not know the author or recipient of the document and it asked to interpret what the author meant by the document.	Rules 401, 402, the document shown to the witness relates to a filter and complication mode not at issues in this case, probative value is outweighed by prejudicial effect. Rules 601, 602, lack of foundation. The witness is shown a document he has never seen, he did not author, he does not know the author or recipient of the document and it asked to interpret what the author meant by the document.
RULING	Sustain			Overrule	Overrule	Overrule	Overrule
DESIGNATIONS	165:07-167:14 Redact 165:15-165:21	167:15-167:22	168:01-168:16	173:21-174:11	174:13-174:17	174:19-174:21	175:02-175:13
DEPONENT	Trerotola, Scott 01/20/2017	Trerotola, Scott 01/20/2017	Trerotola, Scott 01/20/2017	Trerotola, Scott 01/20/2017	Trerotola, Scott 01/20/2017	Trerotola, Scott 01/20/2017	Trerotola, Scott 01/20/2017
DESIGNEE	PL COUNTER	DEF COUNTER TO	DEF COUNTER TO COUNTER	PL COUNTER	PL COUNTER	PL COUNTER	PL COUNTER

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL COUNTER	Trerotola, Scott 01/20/2017	175:15-175:24	Overrule	Rules 401, 402, the document shown to the witness relates to a filter and complication mode not at issues in this case, probative value is outweighed by prejudicial effect. Rules 601, 602, lack of foundation. The witness is shown a document he has never seen, he did not author, he does not know the author or recipient of the document and it asked to interpret what the author meant by the document.	There is no lack of foundation Dr. Trerotola testified he is a consultant to Bard and in that role takes he has trained physicians to use Bard's IVC filters and takes calls for filter complaints from physicians round the world. This is proper cross examination to determine the depth of his knowledge, challenge his credibility and expose potential bias. The questioning also reflects whether Dr. Trerotola represents the average physician or is present only to defend Bard's product. It demonstrates the closeness of his relationship with the defendants and the fact he was made privy to information the average physician would no receive and points out that as Bard's consultant he does no consider the Bard filters to be permanent relacives. The question is directly relevant the reasonableness of Bard's conduct with regard to the its warnings and filter design.
DEF AFFIRM	Trerotola, Scott 01/20/2017	177:05-177:23	Overrule	(177:05-177:23) FRE 401, 402 701, FRCP 26(a)(2)(C) - Relevance- Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his erroneous opinions regarding FDA "approval" of the filter or Bard's intention in representing the G2 to be a permanent filter testing by Bard are not relevant and he is not qualified to give opinions in this case. Rule 802 - Dr. Trerotola's testimony as to what the FDA did is hearsay. Testimony regarding the 510(k), FDA regulations, and SIR are not relevant and Plaintiff incorporates his arguments from the MILs on these subjects.	The Plaintiff's object was over-ruled in the MDL. The testimony was allowed. (177:05 - 177:23) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge.
DEF AFFIRM	Trerotola, Scott 01/20/2017	178:20-179 03	Overrule	(178:20-178:24) Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is a lay witness and his opinions regarding "frightenol" are not relevant and he is not qualified to give opinions in this case. (179 01-179 03)Dr. Trerotola is not designated as a retained expert in this case and he is not a treating physician. Therefore he is alw witness and his opinions regarding "frightenol" are not relevant and he is not qualified to give opinions in this case.	The Plaintiff's object was over-ruled in the MDL. The testimony was allowed. (178:20 - 178:24) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge. (179:01 - 179:03) The testimony is relevant to his experience as a medical doctor in the use of IVC filters, and goes to his credibility as a witness. His testimony, elicited principally through questions by plaintiff s counsel, necessarily provides information based on his expertise with IVC filters but he is not a lay witness improperly offering expert opinions. The testimony is based on his own personal knowledge.
PL COUNTER	Trerotola, Scott 01/20/2017	203:24-204:04			
PL COUNTER	Trerotola, Scott 01/20/2017	204:06-204:14			
PL COUNTER	Trerotola, Scott 01/20/2017	204:16-204:17			

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DESIGNEE	DEPONENT	DESIGNATIONS	KULING	OBJECTION	RESPONSES TO OBJECTIONS
DEF BLANKET OBJECTION				This entire deposition relates to the Bard Recovery filter and actions taken in response to adverse events - cephalad migration and deaths - regading that filter. Under Kule 401, 402 and 403 - it has no relevance to the issues in this case and serves no purpose except to prejudice the jury. Mr. Uelman was not at Bard when the filter at issue was developed or implanted. There is no testimony designated relating to the G2 or later generation filters.	
PL AFFIRM	Uelmen, Douglas 10/04/2013	10:15-10:17			
PL AFFIRM	Uelmen, Douglas 10/04/2013	10:21			
DEF COUNTER	Uelmen, Douglas 10/04/2013	19:16-19:18			
DEF COUNTER	Uelmen, Douglas 10/04/2013	26:04-26:08			
DEF COUNTER	Uelmen, Douglas 10/04/2013	37:23-38:01			
DEF COUNTER	Uelmen, Douglas 10/04/2013	38:02-38:10			
DEF COUNTER	Uelmen, Douglas 10/04/2013	38:14-40:04			
PL AFFIRM	Uelmen, Douglas 10/04/2013	39:05-39:12			
DEF COUNTER	Uelmen, Douglas 10/04/2013	58:07-58:13	Sustain	FRE 701 (opinion by lay witness based on scientific, technical or other specialized knowledge); FRE 403 the response is confusing and likely to mislead the jury.	
DEF COUNTER	Uelmen, Douglas 10/04/2013	58:18-58:21	Sustain	FRE 701 (opinion by lay witness based on scientific, technical or other specialized knowledge); FRE 403 the response is confusing and likely to mislead the jury.	
PL AFFIRM	Uelmen, Douglas 10/04/2013	59:15-59:22	Sustain	Lack of foundation. Calls for a legal conclusion	The witness was Vice President of Quality Assurance for Bard who in the course of his career had responsibility for an number of medical devices including the Simon Nitinol Filter and Recovery filter (23:03 – 25:20 & 50:22 – 51 08). As VP of Quality Assurance he had responsibility for design development being in compliance. (27:19 – 28:15). The question is clearly within his scope of responsibility and knowledge and does not seek a legal; conclusion.
DEF COUNTER	Uelmen, Douglas 10/04/2013	59:15-59:22 subject to objection			
PL AFFIRM	Uelmen, Douglas 10/04/2013	60:01			
PL AFFIRM	Uelmen, Douglas 10/04/2013	69:01-69:12*			
PL AFFIRM	Uelmen, Douglas 10/04/2013	70:02-70:08	Sustain	Lack of foundation. Calls for a legal conclusion	Plaintiffs adopt and incorporate by reference the response to the objections stated at Row 5.
PL AFFIRM	Uelmen, Douglas 10/04/2013	70:16-70:18			
DEF COUNTER	Uelmen, Douglas 10/04/2013	70:19-71:04 subject to objection			
DEF COUNTER	Uelmen, Douglas 10/04/2013	71:06-71:18 subject to objection	Sustain	non-responsive	
DEF COUNTER	Uelmen, Douglas 10/04/2013	328:13-328:17 Subject to objection			
DEF COUNTER	Uelmen, Douglas	328:20-329:04 Subject to objection			
DEF COUNTER	Uelmen, Douglas 10/04/2013	330:24-331:02 Subject to objection	Sustain	lack of foundation	
DEF COUNTER	Uelmen, Douglas 10/04/2013	331 05 Subject to objection	Sustain	lack of foundation	
DEF COUNTER	Uelmen, Douglas 10/04/2013	331:08-331:18 Subject to objection	Sustain	lack of foundation	

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Uelmen, Douglas 10/04/2013	326:02-326:17	Overrule	Rules 401, 403. 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The Recovery is the predicate design upon which the Edipse G2 and G2X platform off flers were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 except it has a retrieval hook on the reap. The eclipse is the same with electropolishing. (2013.11.05 Carr 23:13-23:17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design.
PL AFFIRM	Uelmen, Douglas 10/04/2013	326:19-326:19	Overrule	Rules 401, 402 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The Recovery is the predicate design upon which the Eclipse G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G3X filter is identical to the G2 except it has a retrieval hook on the cap. The eclipse is the same with electropolishing, (2013.11.05 Carr 23:13-23:1). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when redsping, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design.
PL AFFIRM	Uelmen, Douglas 10/04/2013	326;23-326;24	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The Recovery is the predicate design upon which the Eclipse G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 except it has a retrieval hook on the cap. The clipse is the same with electropolishing. (2013.11.05 Carr 23:13 - 23:17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' exwence. Evidence as to whether Bard complied with its own policies when designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design.
PL AFFIRM	Uelmen, Douglas 10/04/2013	327.02-327.03	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The Recovery is the predicate design upon which the Eclipse G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 except it has a retrieval hook on the rea. The eclipse is the same with electropolishing. (2013.11.05 Carr 23:13-23:17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design.
PL AFFIRM	Ueimen, Douglas 10/04/2013	327:18-327:24	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The Recovery is the predicate design upon which the G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 except it has a retrieval hook on the eap, (2013.1.16° Carr 23.13 - 23.17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design
PL AFHRM	Uelmen, Douglas 10/04/2013	328:02-328:09	Sustain	Rules 401, 402 - 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The Recovery is the predicate design upon which the Eclipse G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G3X filter is identical to the G2 except it has a retrieval mook on the cap. The eclipse is the same with electropolishing. (2013.11.05 Carr 323.1-321.17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when designing testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative flaw prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Uelmen, Douglas 10/04/2013	332:01-332:06			
PL AFFIRM	Uelmen, Douglas 10/04/2013	332:09-332:13			
PL AFFIRM	Uelmen, Douglas 10/04/2013	332:16-332:21	Overrule	Rules 401, 402, and 403 – testimony concerns what physician would have wanted to know / would expect a manufacturer to tell him/her. Internal policies and procedures. As VP of Quality Assurance compliance with policies is within the witness' knowledge. Evidence as to whether Bard compliance with policies with distribution of the Calagorian and selling the Recovery filter a predicate device for the Calagorian and selling the Recovery filter a producty/warning defect and is more probative than prejudicial. The Eclipse, CGZx and Recovery are essentially the same flawed design	The Recovery is the predicate design upon which the G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 except it has a retrieval hook on the cap. (2013.1.105 Carr. 23.13-23.17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design
PL AFFIRM	Uelmen, Douglas 10/04/2013	332:24			
PL AFHRM	Uelmen, Douglas 10/04/2013	333:01-333:04	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	The Recovery is the predicate design upon which the Eclipse G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 secept it has a retrieval hook on the cap. The eclipse is the same with electropolishing, (2013.11.05 Carr 23.13 - 23.17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, GS, G2x and Recovery are essentially the same flawed design.
PL AFHRM	Uelmen, Douglas 10/04/2013	333:06-333:10	Overrule	Rules 401, 402 - 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	The Recovery is the predicate design upon which the G2 and G2X platform of filters were based. The Recovery filter is the direct predicate for the G2 and the testimony is clear that the G2X filter is identical to the G2 except it has a retrieval hook on the cap. (2013.1.0.5 car 23:13-13.17). The testimony relates to Bard's internal policies and procedures. As VP of Quality Assurance compliance with such policies is within the witness' knowledge. Evidence as to whether Bard complied with its own policies when designing, testing and selling the Recovery filter a predicate device for the G2/GFX filters, is relevant to the claims of product/warning defect and is more probative than prejudicial. The Eclipse, G5, G2x and Recovery are essentially the same flawed design

DESIGNEE	DEPONENT	DESIGNATIONS	BIIING	OBJECTION	BESPONSES TO OBJECTIONS
DEF BLANKET			Overrule	Bard object to this entire deposition under Rules 401, 402 and 403. The testimony	
OBJECTION				relates soley to the Bard Recovery filter and regulatory submissions relating to that filter. Ms. Vierling was not at Bard when the Eclipse filter was submitted to the FDA for clearance.	
PL AFFIRM	Veriling, Carol 05/11/2016	08:19-08:20			
DEF COUNTER	Vierling, Carol 05/11/2016	8:19-8:20 will be withdrawn if played by Plaintiff			
PL AFFIRM	Veriling, Carol 05/11/2016	09:24-10:11			
DEF COUNTER	Vierling, Carol 05/11/2016	9:24-10:07			
DEF COUNTER	Vierling, Carol 05/11/2016	10:17-10:23 [10:18-10:23 will be withdrawn if played by			
PL AFFIRM	Veriling, Carol	Plaintiff 10:18-11:02			
PL AFFIRM	Veriling, Carol	14:21-16:01			
PL AFFIRM	Veriling, Carol 05/11/2016	16:10-16:12			
PL AFFIRM	Veriling, Carol 05/11/2016	21:09-21:16			
DEF COUNTER	Vierling, Carol 05/11/2016	24:15-24:20 begin at "so when"			
DEF COUNTER	Vierling, Carol	26:06-26:07	Overrule	Rules 106, 403. Misleading about Vierling's level of involvement. Should include lines 26.6 through 26:17	
DEF COUNTER	Vierling, Carol	26:13-26:17 hegin at "I remember"	Overrule	Rules 100, Windows and Williams Should include lines 26.6 through 26.17	
PL AFFIRM	Veriling, Carol 05/11/2016	26:15-26:17	Overrule	s at , par , par ard k	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard Knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it.
DEF COUNTER	Vierling, Carol	27:15-27:20			
DEF COUNTER	Vierling, Carol	28:04-28:09			
DEF COUNTER	Vierling, Carol 05/11/2016	28:23-29:02			
PL AFFIRM	Veriling, Carol 05/11/2016	29:03-29:09 (ending with the 510(k))			
DEF COUNTER	Vierling, Carol 05/11/2016	30:10-30:17			
DEF COUNTER	Vierling, Carol 05/11/2016	31:23-32:03			
PL AFFIRM	Veriling, Carol 05/11/2016	33:03-33:07			
PL AFFIRM	Veriling, Carol 05/11/2016	33:11-33:21			
DEF COUNTER	Veriling, Carol 05/11/2016	33:13-33:15	Sustain as to including 33:13-33:21	Rules 106, 403. Misleading as to FDA's customary practice re: testing. Should include 33:13-33:21	
PL AFFIRM	Veriling, Carol	36:17-36:19			
PL AFFIRM	Veriling, Carol 05/11/2016	36:23-36:24			
PLAFHRM VEILIN 05/11	veriling, Carol 05/11/2016	37:02-37:05	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty to PEactihenBtasrd retreivable IVC filter, including the Eclipse, obtained FDA.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Veriling, Carol 05/11/2016	37.09	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Paintiff's punitive damages claim dismissed. This case does not involve the Recovery filter.	using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty to pEactihenBtasrd retreivable IVC filter, including the Eclipse, obtained FDA
DEF COUNTER	Vierling, Carol	38:05-38:24			charanca
PL AFFIRM	Verling, Carol 05/11/2016	39:15-39:23	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter.	using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse), and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(K) process and its duty to
PL AFFIRM	Veriling, Carol 05/11/2016	42:16-42:21	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter or cephalad migration.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(K) process and its duty to
PL AFFIRM	Veriling, Carol 05/11/2016	44:19-45:10	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. This case does not involve the Recovery filter or cephalad migration.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to disclose all material data.
PLAFFIRM	Verling, Carol 05/11/2016	49:13-49:16	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Viserling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to disclose all material data.
PL AFFIRM	Veriling, Carol 05/11/2016	49:19-50:02	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive related amapes claim dismissed	
PL AFFIRM	Veriling, Carol 05/11/2016	51:06-51:20	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse) and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to disclose all material data.
DEF COUNTER	Veriling, Carol 05/11/2016	51:21-51:22			
DEF COUNTER	Veriling, Carol 05/11/2016	52:01-52:05			
DEF COUNTER	Vierling, Carol 05/11/2016	77:08-77:21	Overrule	Rules 106, 403. Misleading. Should also include lines 77:22-77:23.	
DEF COUNTER	Vierling, Carol 05/11/2016	77:24-78:01			
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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Veriling, Carol 05/11/2016	78:02-78:13	Overrule	Rules 401, 402 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 510(k) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval.
DEF COUNTER	Veriling, Carol 05/11/2016	78:23-79:03	Overrule	Rules 106, 403. Misleading. Should also include lines 78:2-13.	
DEF COUNTER	Veriling, Carol 05/11/2016	79:07-79:08			
DEF COUNTER	Vierling, Carol 05/11/2016	84:02-84:04			
DEF COUNTER	Vierling, Carol 05/11/2016	84:17-84:21			
PL AFFIRM	Veriling, Carol 05/11/2016	87:19-88:01	Sustain	This designation violates the Court's ruling on the MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate; the first predicate device was the Recovery, Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA. 510(k) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval.
DEF COUNTER	Veriling, Carol 05/11/2016	88:02-88:08			
PL AFFIRM	Verling, Carol 05/11/2016	88:09-88:12	Sustain	Rules 401, 402. 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA \$10(k) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain root causes of complications prior to submission.
PL AFFIRM	Verling, Carol 05/11/2016	88:20-88:23	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA lave known that Dr. Asch's study should not have been used as basis for FDA solds) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain root causes of complications prior to submission.
PL AFFIRM	Verling, Carol 05/11/2016	89:04-89:07	Sustain	Rules 401, 402. 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA \$10(k) submission since it did not sufficiently screen for all potential complications finduding complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain root causes of complications prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	98:05-98:18	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	
PL AFFIRM	Veriling, Carol 05/11/2016	98:21-99:07	Sustain	Rules 401, 402 - Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 510(k) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse) but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.

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DECIONEE	PEDONICAL	SINCITAINGISSE	ONLING	NO FOR INCIDENTAL PROPERTY OF THE PROPERTY OF	DECEDANCES TO OBJECTIONS
DESIGNEE PLAFIRM	Verling, Carol 05/11/2016	99:12-99:14	Sustain Sustain	UBJECTION Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	TESPONDES IO UBECLIOUS Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 510(k) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	99:19-99:20	Sustain	Defendants' objection was sustained by Judge Campbell in the MDL This testimony was not permitted in the bellwether trials. Rules 401, 402, 403 – Testimony was not involve filter at issue and/or failure mode at issue; Irrelevant and assumptions relatively and some or the supplications and assumptions and some or the supplications.	
PL AFFIRM	Veriling, Carol 05/11/2016	100:02-100:09	Sustain	All the state of t	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 510(k) submission since it did not sufficiently screen for all potential complications (including contactions associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	100:12-100:18	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA layed known that Dr. Asch's study should not have been used as basis for FDA sick) submission since it did not sufficiently screen for all potential complications fincluding complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	101:01-101:04	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive Admanes claim disnicsed	
PL AFFIRM	Veriling, Carol 05/11/2016	101:08-101:09	Sustain	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 1510(k) submission since it did not sufficiently screen for all potential complications fincluding complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	102:01-102:06	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 510(k) submission since it did not sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	105:07-105:13	Sustain	Defendants' objection was sustained by Judge Campbell in the MDL. This testimony was not permitted in the bellwether trials. The Court stated, The question is not evidence. (105:07-105:10) Rules 401, 402. The attorney statement is not evidence	
PL AFFIRM	Veriling, Carol 05/11/2016	106:04-106:07	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA 1510(k) submission since it did not sufficiently screen for all potential complications fincluding complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain whether complications were outliers or trends prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	108:03-108:07	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard failed to fully account for and disclose information on comparative complication rates in its FDA 510(k) submission (which likely would have affected FDA clearance). The comparative complication rates pertain to complications shared by subsequent generations of Bard IVC filters, including the Eclipse.
PL AFFIRM	Veriling, Carol 05/11/2016	108:14-108:20	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s bunitive damages claim dismissed	
Vierling 5.1 <u>1</u> .16 Pl	1.16 PL			A COLLINS COLL	268

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Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys, and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable data	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s builtive damages claim dismissed	Overrule	143:20-144:12	Veriling, Carol 05/11/2016	PL AFFIRM
	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Overrule	142:16	Veriling, Carol 05/11/2016	PL AFFIRM
Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA (510(k) submission sincer it din tot sufficiently screen for all potential complications (including complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain root causes of complications prior to submission.	Rules 401, 403. 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Overrule	142:10-142:13	Veriling, Carol 05/11/2016	PL AFFIRM
Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate, the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse), and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty to	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Sustain	141:16-142:06	Veriling, Carol 05/11/2016	PL AFFIRM
Each Bard retreivable IVC filter, including the Eclipse, obtained FDA clearance using a prior-generation filter as its predicate, the first predicate device was the Recovery. Dr. Asch was hired by Bard to lead a clinical study on the Recovery, which Vierling relied on when overseeing the Recovery's submission to the FDA. Testimony is relevant and probative because it shows that Bard knew or should have known of adverse data associated with the Recovery (which relate to complications shared by the Eclipse), and failed to report it. Testimony shows critical gatekeeping role assumed by Bard in 510(k) process and its duty to	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Sustain	141:04-141:13	Veriling, Carol 05/11/2016	PL AFFIRM
This is "helpful to understanding" Vierling's testimony about the level of analysis and testing required and expected by her in her role as Bard's Director of Regulatory Affairs.	Rule 701. Testimony is improper opinion testimony by a lay witness. Lay witness testifying with opinions on corporate ethics.	Sustain	139:17	Veriling, Carol 05/11/2016	PL AFFIRM
This is "helpful to understanding" Vierling's testimony about the level of analysis and testing required and expected by her in her role as Bard's Director of Regulatory Affairs.	Rule 701. Testimony is improper opinion testimony by a lay witness. Lay witness testifying with opinions on corporate ethics.	Sustain	139:09-139:14	Veriling, Carol 05/11/2016	PL AFFIRM
			130:04-130:14	Vierling, Carol 05/11/2016	DEF COUNTER
			128:21-128:24	Vierling, Carol 05/11/2016	DEF COUNTER
			126:06-126:09	Vierling, Carol 05/11/2016	DEF COUNTER
	Rule 106, 403. Incomplete and Confuses the Jury. Should also include 126:4-5.	Sustain	126:01-126:03	Vierling, Carol 05/11/2016	DEF COUNTER
	Rule 106, 403. Misleading. Should also include 125:14-24.	Sustain as to including	125:01-125:13	05/11/2016 Vierling, Carol	DEF COUNTER
			124:15-124:16	Vierling, Carol 05/11/2016	DEF COUNTER
Testimony is relevant and probative because it shows that Bard failed to fully investigate in its sole clinical study certain comparative complication rates. The lack of investigation can be linked to those complications experienced by subsequent generations of Bard IVC filters, including the Eclipse.	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Overrule	112:08-112:14	Veriling, Carol 05/11/2016	PL AFFIRM
Testimony is relevant and probative because it shows that Bard failed to fully investigate in its sole clinical study certain comparative complication rates. The lack of investigation can be linked to those complications experienced by subsequent generations of Bard IVC filters, including the Eclipse.	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Overrule	112:02-112:04	Veriling, Carol 05/11/2016	PL AFFIRM
			110:08-110:21	Veriling, Carol 05/11/2016	DEF COUNTER
Testimony is relevant and probative because it shows that Bard failed to fully account for and disclose information on comparative complication rates in its FDA 510(k) submission (which likely would have affected FDA clearance). The comparative complication rates pertain to complications shared by subsequent generations of Bard IVC filters, including the Eclipse.	Rules 401, 402 - Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Overrule	109:17-110:07	Veriling, Carol 05/11/2016	PL AFFIRM
RESPONSES TO OBJECTIONS	OBJECTION	RULING	DESIGNATIONS	DEPONENT	DESIGNEE

DESIGNEE	DEPONENT	DESIGNATIONS	RULING Custoin and the 14F-14	OBJECTION OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRIN	05/11/2016	144:19-145:07	SUSTAIN AS TO 145:3-145:11	rues-40.1, 40.5, 40.5 — resumminy leades, to intervant and prejudicial evinence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s	restinionly establishes bard s regulatory director's understanding on proper conduct in face of filter design failures and deficiencys and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable
PL AFFIRM	Veriling, Carol 05/11/2016	145:10	Sustain	number cannact stant institution relates to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive defaults.	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable
PL AFFIRM	Veriling, Carol 05/11/2016	147:14-147:18	Overrule	Duffiller Statistics Statistics Statistics and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's numbries of annaes claim dismissed.	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct a lack thereof was not a one-off but consistent patten of ignoring unfavorable
PL AFFIRM	Veriling, Carol 05/11/2016	154:17-154:18	Sustain	Number Canada Chair Chai	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct a lack thereof was not a one-off but consistent pattern of ignoring unfavorable
PL AFFIRM	Veriling, Carol 05/11/2016	155:09-155:22	Sustain	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive defaults.	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct a contact in the thereof was not a one-off but consistent pattern of ignoring unfavorable
PL AFFIRM	Veriling, Carol 05/11/2016	156:01-156:06	Sustain	Duffluer Califacts Call Institute Califacts to irrelevant and prejudicial evidence regarding Bard's conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's nurtieve damages claim dismissed.	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable data in the ruch to obtain 510 (M. cleanance
PL AFFIRM	Veriling, Carol 05/11/2016	158:02-158:03			
DEF COUNTER	Vierling, Carol 05/11/2016	158:11-158:16			
PL AFFIRM	Veriling, Carol 05/11/2016	159:03-160:09	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s nurtikve damages claim dismissed.	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable data in the rich to obtain 51 filk clearance.
DEF COUNTER	Vierling, Carol	159:15-159:24			
DEF COUNTER	Vierling, Carol 05/11/2016	160:01-160:05			
DEF COUNTER	Vierling, Carol 05/11/2016	160 09			
PL AFFIRM	Veriling, Carol 05/11/2016	160:12-160:24	Sustain	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable data in the rush to obtain 5.10 kl clearance
DEF COUNTER	Vierling, Carol 05/11/2016	160:13-160:20			
PL AFFIRM	Verling, Carol 05/11/2016	162:12-162:20	Overrule	Rules 401, 403, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	Testimony is relevant and probative because it shows that Bard knew or should have known that Dr. Asch's study should not have been used as basis for FDA have known that Dr. Asch's study should not have been used as basis for FDA 2D(k) submission since it did not sufficiently screen for all potential complications flincluding complications associated with Mr. Peterson's Eclipse), but rather looked only at filter retrieval. Testimony also shows critical gatekeeping role assumed by Bard in 510(k) process and its duty (and failure) to ascertain root causes of complications prior to submission.
PL AFFIRM	Veriling, Carol 05/11/2016	162:23-162:24	Overrule	Rules 401, 402, 403 – Testimony relates to irrelevant and prejudicial evidence regarding Bard s conduct related to the Recovery Filter. Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s nurthwe damages claim dismissed.	Testimony establishes Bard's regulatory director's understanding of proper conduct in face of filter design failures and deficiencys and shows Bard's conduct or lack thereof was not a one-off but consistent pattern of ignoring unfavorable data
DEF COUNTER	Vierling, Carol 05/11/2016	163:23-164:06			
DEF COUNTER	Vierling, Carol 05/11/2016	164:12-164:17			
DEF COUNTER	Vierling, Carol 05/11/2016	165:07-165:16			
DEF COUNTER	Vierling, Carol 05/11/2016	168:04-168:10	Overrule	Rule 106, 403. Misleading. Should go from 167:17-168:10	
DEF COUNTER	Vierling, Carol 05/11/2016	173:04-173:12			
DEF COUNTER	Vierling, Carol 05/11/2016	173:17-174:07			
DEF COUNTER	Vierling, Carol 05/11/2016	174:12-175:16			
ierling 5.11.16 Pl	16 PL				270

DESIGNEE	DEBONENT	SHOULDING	ONLING	Noitzalao	DECEDANCES TO OBJECTIONS
DEF COUNTER	Vierling, Carol	175:22-177:01	POPUL		AESFORSES TO OBJECTIONS
DEF COUNTER	05/11/2016 Vierling. Carol	177:20-178:01	Overrule	Rule 106. Incomplete. Should include lines 177:2-7.	
	05/11/2016	10.071		Naie 200: Incomprete: Jinoula Incidute IIIto 277.2.7.	
DEF COUNTER	Vierling, Carol 05/11/2016	179:01-179:03			
DEF COUNTER	Vierling, Carol	179 09			
DEF COUNTER	Vierling, Carol	181:07-181:11			
DEF COUNTER	Vierling, Carol	181:14-181:20			
DEF COUNTER	Vierling, Carol	182:09-182:10			
DEF COUNTER	Vierling, Carol	182:19-182:24			
DEF COUNTER	Vierling, Carol	183:02-183:18			
DEF COUNTER	Vierling, Carol	183:20			
DEF COUNTER	Vierling, Carol 05/11/2016	184:03-184:08 through "510k submission"			
DEF COUNTER	Vierling, Carol 05/11/2016	184:20-184:23 through "FDA regulation"			
DEF COUNTER	Vierling, Carol	185:01-185:08			
DEF COUNTER	Vierling, Carol	186:04-186:16			
DEF COUNTER	Vierling, Carol	187:15-187:24			
DEF COUNTER	Vierling, Carol	193:22-194:05			
DEF COUNTER	Vierling, Carol 05/11/2016	197:09-197:16			
DEF COUNTER	Vierling, Carol 05/11/2016	198:11-198:12			
DEF COUNTER	Vierling, Carol 05/11/2016	198:15-198:21			
DEF COUNTER	Vierling, Carol 05/11/2016	199:12-200:05			
DEF COUNTER	Vierling, Carol 05/11/2016	200:12-200:14			
DEF COUNTER	Vierling, Carol 05/11/2016	200:18-200:22			
DEF COUNTER	Vierling, Carol 05/11/2016	207:05-207:07 through "document"			
DEF COUNTER	Vierling, Carol 05/11/2016	207:21-208:06			
DEF COUNTER	Vierling, Carol 05/11/2016	208:12-208:14			
DEF COUNTER	Vierling, Carol 05/11/2016	208:21-209:04			
DEF COUNTER	Vierling, Carol 05/11/2016	209:05-209:06 begin at "let" end at "3"			
DEF COUNTER	Vierling, Carol 05/11/2016	209:12-209:21			
DEF COUNTER	Veriling, Carol	210:12-210:21			
DEF COUNTER	Vierling, Carol 05/11/2016	211:15-212:07			
DEF COUNTER	Vierling, Carol 05/11/2016	212:13-212:15			
DEF COUNTER	Vierling, Carol 05/11/2016	212:18-213:15			
DEF COUNTER	Vierling, Carol 05/11/2016	213:20-214:12			
DEF COUNTER	Vierling, Carol 05/11/2016	214:22-214:24			
ierling 5.11.16 PL	16 PL				271

CONFE	FINANCIAC	SECULIANIONS	CNIIId		SINCEC TO OBJECTIONS
DESIGNEE	DEPONENT	DESIGNATIONS	KOLING	UBIECTION	KESPONSES TO OBJECTIONS
DEFAFIRM	Defendants designate I use in the event the Co of evidence related to K	Defendants designate Mis. Vierling's testimony for use in the event the Court allows the introduction of evidence related to Kay Fuller and allegations			
	regarding the submissic 510(k) to FDA. Defenda introduction of such evi overly prejudicial pursu	regarding the submission of the Recovery Filter 510(k) to FDA. Defendants specifically object to the introduction of such evidence as irrelevant and overly prejudicial pursuant to Rules 401, 402, and			
	403.				
DEF AFFIRM	Vierling, Carol 05/11/2016	8:19-8:20			
DEF AFFIRM	Vierling, Carol 05/11/2016	9:24-10:07			
DEF AFFIRM	Vierling, Carol 05/11/2016	10:17-10:23			
PL COUNTER	Vierling, Carol	16:10-16:12			
PL COUNTER	Vierling, Carol 05/11/2016	21:09-21:16			
DEF AFFIRM	Vierling, Carol 05/11/2016	24:15-24:20 hegin at "so when"			
DEF AFFIRM	Vierling, Carol 05/11/2016	26:06-26:07			
DEF AFFIRM	Vierling, Carol 05/11/2016	26:13-26:14 begin at "I remember"			
DEF AFFIRM	Vierling, Carol 05/11/2016	27:15-27:20			
DEF AFFIRM	Vierling, Carol 05/11/2016	28:04-28:09			
DEF AFFIRM	Vierling, Carol 05/11/2016	28:23-29:02			
PL COUNTER	Vierling, Carol 05/11/2016	29:03-29:09 (ending with ""the			
DEF AFFIRM	Vierling, Carol 05/11/2016	30:10-30:17			
DEF AFFIRM	Vierling, Carol 05/11/2016	31:23-32:03			
PL COUNTER	Vierling, Carol 05/11/2016	33:03-33:07			
PL COUNTER	Vierling, Carol 05/11/2016	33:11-33:21			
PL COUNTER	Vierling, Carol	36:17-36:19			
PL COUNTER	Vierling, Carol 05/11/2016	36:23-36:24			
PL COUNTER	Vierling, Carol 05/11/2016	37:02-37:05			
PL COUNTER	Vierling, Carol 05/11/2016	37:09			
DEF AFFIRM	Vierling, Carol 05/11/2016	38:05-38:24			
PL COUNTER	Vierling, Carol 05/11/2016	45:03-45:10			
PL COUNTER	Vierling, Carol 05/11/2016	49:13-49:16	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect.	
PL COUNTER	Vierling, Carol	49:19-50:02			
PL COUNTER	Vierling, Carol 05/11/2016	51:06-51:20			
DEF AFFIRM	Vierling, Carol 05/11/2016	77:08-77:18			
DEF AFFIRM	Vierling, Carol 05/11/2016	77:24-78:01	Sustain	(77:08-77:16) FRE 602 & lack of foundation: (see 77:17-23); hearsay; FRE 801 & contact, 802 knowled	(77:08 – 77:16) The witness is asked if Dr. Asch, with whom she testified she had contact, had told her certain information. The witness is testifying from personal knowledge in answering in the negative
PL COUNTER	Vierling, Carol 05/11/2016	78:02-78:13			
PL COUNTER	Vierling, Carol 05/11/2016	87:19-88:01			
Vierling 5.11.16 DEF	1.16 DEF				272

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DESIGNEE PL COUNTER	Vierling, Carol	DESIGNATIONS R 88:09-88:12	RULING	OBJECTION	RESPONSES TO OBJECTIONS
GENINGS	05/11/2016	CC.00 OC.00			
PL COUNTER	vierling, Carol 05/11/2016	88:20-88:23			
PL COUNTER	Vierling, Carol 05/11/2016	89:04-89:07			
PL COUNTER	Vierling, Carol	98:05-98:18			
PL COUNTER	Vierling, Carol	98:21-99:07			
PL COUNTER	Vierling, Carol 05/11/2016	99:12-99:14			
PL COUNTER	Vierling, Carol	99:19-99:20			
PL COUNTER	Vierling, Carol	100:02-100:09			
PL COUNTER	Vierling, Carol 05/11/2016	100:12-100:18			
PL COUNTER	Vierling, Carol 05/11/2016	101:01-101:04			
PL COUNTER	Vierling, Carol 05/11/2016	101:08-101:12			
PL COUNTER	Vierling, Carol 05/11/2016	102:01-102:06			
PL COUNTER	Vierling, Carol 05/11/2016	105:07-105:13			
PL COUNTER	Vierling, Carol	106:04-106:07			
PL COUNTER	Vierling, Carol 05/11/2016	108:03-108:07			
PL COUNTER	Vierling, Carol	108:14-108:20			
PL COUNTER	Vierling, Carol	109:17-110:07			
PL COUNTER	Vierling, Carol	112:02-112:04			
PL COUNTER	Vierling, Carol 05/11/2016	112:08-112:14			
DEF AFFIRM	Vierling, Carol 05/11/2016	125:01-125:13			
DEF AFFIRM	Vierling, Carol 05/11/2016	126:01-126:03 0	Overrule	(125:01-125:13) FRE 401, 402 and 403: not relevant	(126:01 - 126:09) Witness has substantial experience and knowledge about FDA regulations and processes and was responsible for drafting the 501k documents for the Bard Recovery filter. This testimony demonstrates her personal knowledge of work done by co worker Kay Fuller.
DEF AFFIRM	Vierling, Carol 05/11/2016	126.06-126.09	Overrule	(126:01-126:09) FRE 401, 402 and 403: not relevant	(126:01 - 126:09) Witness has substantial experience and knowledge about FDA regulations and processes and was responsible for drafting the 501k documents for the Bard Recovery filter. This testimony demonstrates her personal knowledge of work done by co worker Kay Fuller.
DEF AFFIRM	Vierling, Carol	128:21-128:24			
PL COUNTER	Vierling, Carol 05/11/2016	139:01-139:02			
PL COUNTER	Vierling, Carol 05/11/2016	139:06-139:07			
PL COUNTER	Vierling, Carol 05/11/2016	139:09-139:12			
PL COUNTER	Vierling, Carol 05/11/2016	140:20-141:08			
PL COUNTER	Vierling, Carol 05/11/2016	141:09-141:13			
PL COUNTER	Vierling, Carol 05/11/2016	141:16-142:06			
PL COUNTER	Vierling, Carol 05/11/2016	142:10-142:13			
PL COUNTER	Vierling, Carol 05/11/2016	142:16			
PL COUNTER	Vierling, Carol 05/11/2016	143:20-144:12			
erling 5.11.16 DEF	1.16 DEF				273

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL COUNTER	Vierling, Carol	144:19-145:07			
PL COUNTER	Vierling, Carol	145:10			
PL COUNTER	Vierling, Carol	147:14-147:18			
PL COUNTER	Vierling, Carol	155:19-155:22			
PL COUNTER	Vierling, Carol	156:01-156:06			
DEF AFFIRM	Vierling, Carol 05/11/2016	158:11-158:16			
PL COUNTER	Vierling, Carol 05/11/2016	159:06-159:14			
DEF AFFIRM	Vierling, Carol 05/11/2016	159:15-159:24			
DEF AFFIRM	Vierling, Carol 05/11/2016	160:01-160:05			
DEF AFFIRM	Vierling, Carol	160 09			
DEF AFFIRM	Vierling, Carol 05/11/2016	160:13-160:20	Overrule	(160:19-160:20) Object to the answer other than "that's right" on these grounds: FRE 701; lack of foundation and FRE 602	(160:19 - 160:20) Witness has substantial experience and knowledge about FDA regulations and processes and was responsible for drafting the 501k documents for the Bard Recovery filter. The witness was the author of, and has personal knowledge of the amail she is discussing
PL COUNTER	Vierling, Carol 05/11/2016	162:12-162:20			
PL COUNTER	Vierling, Carol 05/11/2016	162:23-162:24			
PL COUNTER	Vierling, Carol 05/11/2016	164:18-164:20			
PL COUNTER	Vierling, Carol 05/11/2016	166:01-167:01			
PL COUNTER	Vierling, Carol	167:06-167:10			
PL COUNTER	Vierling, Carol 05/11/2016	167:17-168:03			
PL COUNTER	Vierling, Carol 05/11/2016	169:13-169:21			
DEF AFFIRM	Vierling, Carol 05/11/2016	179 09			
DEF AFFIRM	Vierling, Carol 05/11/2016	181:07-181:11			
DEF AFFIRM	Vierling, Carol 05/11/2016	181:14-181:20			
DEF AFFIRM	Vierling, Carol 05/11/2016	182:09-182:10			
DEF AFFIRM	Vierling, Carol 05/11/2016	182:19-182:24			
DEF AFFIRM	Vierling, Carol 05/11/2016	183:02-183:18	Overrule	(183:15-183:18) FRE 801 & 802: hearsay; FRE 602; lack of foundation	(183:15 - 183:20) The witness has personal knowledge relating to the study performed by Dr. Asch, with whom she testified she had contact. See 25:2 – 12, 65:15-17, 27:15 – 20, 27:15 - 20. Her testimony is based on her personal
DEF AFFIRM	Vierling, Carol 05/11/2016	183:20	Overrule	(183:20) FRE 801 & 802: hearsay; FRE 602; lack of foundation	(183:15 - 183:20) The witness has personal knowledge relating to the study performed by Dr. Asch, with whom she testified she had contact. See 25:2 – 12, 6:6.5-17, 27:15 – 20, 27:15 – 20. Her testimony is based on her personal knowledge.
DEF AFFIRM	Vierling, Carol 05/11/2016	184:03-184:08 through "510k submission"			
DEF AFFIRM	Vierling, Carol 05/11/2016	184:20-184:23 through "FDA regulation"			
DEF AFFIRM	Vierling, Carol 05/11/2016	185:01-185:08			
DEF AFFIRM	Vierling, Carol 05/11/2016	186:04-186:16			
DEF AFFIRM	7	187:15-187:24	Overrule	(187:15-187:24) FRE 701; FRE 602; lack of foundation, object 187:24 based on FRE 403: confusing and misleading, mistates standard used by FDA	(187:15 - 187:23) Witness has substantial experience and knowledge about FDA regulations and processes and was responsible for drafting the 501k documents for the Bard Recovery filter. This testimony demonstrates her personal knowledge and it is relevant to her credibility as a witness.
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DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPONSES TO OBJECTIONS	JECTIONS
Vierling, Carol	193:22-194:05			
Vierling, Carol	198:11-198:12			
Vierling, Carol	198:15-198:21			
Vierling, Carol	199:12-200:05			
Vierling, Carol	200:12-200:14			
Vierling, Carol	200:18-200:22			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Weist, MD, John 04/5/2017	8:15-8:20 Starting with "Could you"			
PL AFFIRM	Weist, MD, John 04/5/2017	9:19-10:24			
PL AFFIRM	Weist, MD, John 04/5/2017	12:07-12:13			
PL AFFIRM	Weist, MD, John 04/5/2017	12:19-12:23			
PL AFFIRM	Weist, MD, John 04/5/2017	14:06-14:10			
DEF COUNTER	Weist, MD, John 04/5/2017	14:11-14:13			
PL AFFIRM	Weist, MD, John 04/5/2017	14:14-14:16	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. This doctor did not implant plaintiff's filter. What filters his hospital uses is not relevant and any relevance is outweighed by prejudice and risk of confusion.	The testimony is relevant as to Dr. Wiest's knowledge of the filters produced by Bard it is not unfairly prejudicial as Bard has designed two physicians to testify as to there experience with the Bard filter who are not treating physicians and made similar inquiries of Dr. Goodman. The testimony is reasonable to counter the impression made by Bard that all physicians had a favorable opinion of Bard's IVC filters.
PL AFFIRM	Weist, MD, John 04/5/2017	14:18-14:19	Overrule	Rules 401, 402 & 403. Irrelevant and Unfairly prejudicial. This doctor did not implant plaintiff's filter. What filters his hospital uses is not relevant and any relevance is outweighed by prejudice and risk of confusion.	The testimony is relevant as to Dr. Wiest's knowledge of the filters produced by Bard it is not unfairly prejudicial as Bard has designed two physicians to testify as to there experience with the Bard filter who are not treating physicians and made similar inquiries of Dr. Goodman. The testimony is reasonable to counter the mirression made by Bard that all physicians had a favorable opinion of Bard's IVC filters.
PL AFFIRM	Weist, MD, John 04/5/2017	20:20-20:22			
PL AFFIRM	Weist, MD, John 04/5/2017	21:07-21:18			
PL AFFIRM	Weist, MD, John 04/5/2017	21:20-22:18			
PL AFFIRM	Weist, MD, John 04/5/2017	23:02-23:04			
PL AFFIRM	Weist, MD, John 04/5/2017	23:07-23:21			
PL AFFIRM	Weist, MD, John 04/5/2017	23:23-23:23			
PL AFFIRM	Weist, MD, John 04/5/2017	24:02-24:07			
PL AFFIRM	Weist, MD, John 04/5/2017	25:02-25:07			
PL AFFIRM	Weist, MD, John 04/5/2017	25:09-25:17			
PL AFFIRM	Weist, MD, John 04/5/2017	26:02-26:15			
PL AFFIRM	Weist, MD, John 04/5/2017	27:02-27:02			
PL AFFIRM	Weist, MD, John 04/5/2017	27:04-27:04			
PL AFFIRM	Weist, MD, John 04/5/2017	27:08-27:11			
PL AFFIRM	Weist, MD, John 04/5/2017	27:13-28:06			
PL AFFIRM	Weist, MD, John 04/5/2017	28:09:28:09			
PL AFFIRM	Weist, MD, John 04/5/2017	29:08-29:23 Starting with"Under the"			
DEF COUNTER	Weist, MD, John 04/5/2017	29:24-30:04			
PL AFFIRM	Weist, MD, John 04/5/2017	30:02-30:06			
PL AFFIRM	Weist, MD, John 04/5/2017	30:08-30:16			
PL AFFIRM	Weist, MD, John 04/5/2017	31:23-32:01			
PL AFFIRM	Weist, MD, John 04/5/2017	32:04-32:05			
PL AFFIRM	Weist, MD, John 04/5/2017	32:07-32:08			
PLAFFIRM Wiest 4.5.17	Weist, MD, John 7 pL 04/5/2017	32:17-32:20			276

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Weist, MD, John 04/5/2017	32:22-32:22			
PL AFFIRM	Weist, MD, John 04/5/2017	32:24-33:05			
PL AFFIRM	Weist, MD, John 04/5/2017	33:07-33:08			
PL AFFIRM	Weist, MD, John 04/5/2017	33:10-33:15			
PL AFFIRM	Weist, MD, John 04/5/2017	33:17-33:18			
PL AFFIRM	Weist, MD, John 04/5/2017	33:20-34:01			
PL AFFIRM	Weist, MD, John 04/5/2017	34:03-34:07			
PL AFFIRM	Weist, MD, John 04/5/2017	34:11-34:17			
PL AFFIRM	Weist, MD, John 04/5/2017	35:21-35:23			
PL AFFIRM	Weist, MD, John 04/5/2017	36:03-36:13			
PL AFFIRM	Weist, MD, John 04/5/2017	36:15-36:17			
PL AFFIRM	Weist, MD, John 04/5/2017	36:24-37:20			
PL AFFIRM	Weist, MD, John 04/5/2017	37:24-38:01			
PL AFFIRM	Weist, MD, John 04/5/2017	38:03-38:03			
PL AFFIRM	Weist, MD, John 04/5/2017	38:05-38:07			
PL AFFIRM	Weist, MD, John 04/5/2017	38:09-38:15			
PL AFFIRM	Weist, MD, John 04/5/2017	38:18-38:18			
PL AFFIRM	Weist, MD, John 04/5/2017	38:20-39:05			
PL AFFIRM	Weist, MD, John 04/5/2017	39:07-39:08			
PL AFFIRM	Weist, MD, John 04/5/2017	39:11-40:02	Overrule	(39:20 - 40:02) Opinion testimony that goes beyond the scope of the treating physician's care of the plaintiff is subject to the requirements of Rule 26(a)(2)(B). This witness confirms at 64:6 - 64:14 that he did not learn of plaintiff's hernia or hernia surgery through the scope of his care of plaintiff.	The testimony is clearly within the knowledge of the witness as a treating physician, he has the training, qualifications and experience to discuss the subject and it is relevant. The testimony is declared in Plaintiff's description of the witness' testimony. [Dkt. No. 118]].
PL AFFIRM	Weist, MD, John 04/5/2017	40:04-40:04	Overrule	Opinion testimony that goes beyond the scope of the treating physician's care of the plantiff is subject to the requirements of Rule 26(a)(2)(B). This witness confirms at 64:6 -64:14 that he did not learn of plaintiff's hernia or hernia surgery through the scope of his care of heightiff.	The testimony is clearly within the knowledge of the witness as a treating physician, he has the training, qualifications and experience to discuss the subject and it is relevant. The testimony is declared in Plaintiff's description of the witness' treetimons. Det. No. 1181.
PL AFFIRM	Weist, MD, John 04/5/2017	41:18-42:03			
PL AFFIRM	Weist, MD, John 04/5/2017	48:22-49:08			
PL AFFIRM	Weist, MD, John 04/5/2017	49:24-50:04			
PL AFFIRM	Weist, MD, John 04/5/2017	54:08-54:14	Overrule	Opinion testimony that goes beyond the scope of the treating physician's care of the plantiff is subject to the requirements of Rule 'B(a)(2)(B). This witness was not involved in the treatment decisions surrounding placement of plaintiff's filter.	Dr. Wiest is the vascular surgeon who removed the filter from Mr. Peterson and who was well acquainted with his medical history and reasons why the filter was placed. Defendant shear realisation an experience was not necessary. Dr. Wiest's testimony is within the witness' knowledge, training and experience and based upon information gathered while he was treating the Plaintiff. It is relevant and admissible. The testimony is declared in Plaintiff's description of the witness' testimony. [Dkt. No. 118]).
PL AFFIRM	Weist, MD, John 04/5/2017	60:04-60:06			
PL AFFIRM	Weist, MD, John 04/5/2017	60:09-61:15 Staring with "you wrote"			
PL AFFIRM	Weist, MD, John 04/5/2017	63:01-63:09			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESPO	RESPONSES TO OBJECTIONS
DEF AFFIRM	Weist, John 04/05/2017	42:12-42:16			
DEF AFFIRM	Weist, John 04/05/2017	42:20–43:04			
DEF AFFIRM	Weist, John 04/05/2017	43:07-43:16	Overrule	*FRCP 33(a)(6) - Optional completeness - if the Defendants offer 43:10-43:16, then Defenda 44:01-44:5 should be played next to place the testimony in it proper context. Plaintiff Defenda	Defendants do not agree to the inclusion of 44:01 - 44:05, however, to the extent Plaintiff suggests that a portion of the deposition be played out of order, Defendants disagree.
PL COUNTER	Weist, John 04/05/2017	If the Defendants offer 43:10-43:16, and the court denies Plaintiffs request under FRCP 33(a)(6) then Plaintiff will offer:			
DEF AFFIRM	Weist, John 04/05/2017	47:17–49:19	Sustain	FRE 403: Plaintiff has designated 48:22–49:8. To the extent the Defendants' intend Defendants do not believe that the replaying of testimony is any is substantially outweighed by undue delay, wasting of time it is set forth in the deposition. Under this procedure, no testimony would be played sequentially as a playing or time played sequentially as a playing or time.	Defendants do not believe that the replaying of testimony is efficient or prudent. Defendants believe that all testimony designated should be played sequentially as its at forth in the deposition. Under this procedure, no testimony would be played more than once
DEF AFFIRM	Weist, John 04/05/2017	49:21-51:13			
DEF AFFIRM	Weist, John 04/05/2017	51:15-51:20	Sustain	FRE 403: To the extent the Defendants' intend to play 52:11-52:19 as part of their offer of testimony from this witness that testimony, 51:15-51:20 duplicates the same testimony and the probative value, if any, is substantially outweighed by undue delay, wasting of time and/or needlessly presenting cumulative evidence	lants do not intend to play duplicative or cumulative testimony.
DEF AFFIRM	Weist, John 04/05/2017	52 04-53:17	Sustain	FRE 403: To the extent the Defendants' intend to play 51:15-51:30 as part of their Defenda offer of testimony from this witness that testimony, 52:15-52:19 duplicates the same testimony and the probative value. If any, is substantially outweighed by undue delay, wasting of time and/or needlessy presenting cumulative evidence	Defendants do not intend to play duplicative or cumulative testimony.
DEF AFFIRM	Weist, John 04/05/2017	53:19-54:14	Sustain	FRE 403: Plaintiff has designated 54:8-54:14. To the extent the Defendants' intend Defenda to replay that testimony the probative value of such a duplicate presentation of Defenda testimony, if any, is substantially outweighed by undue delay, wasting of time it is set fand, and/or needlesty in meaening criminalities within propagations.	Defendants do not believe that the replaying of testimony is efficient or prudent. Defendants believe that all testimony designated should be played sequentially as its extrent in the deposition. Under this procedure, no testimony would be alwared more than once
DEF AFFIRM	Weist, John 04/05/2017	59:23–62:12	Sustain	1.5. To the extent the obative value of such a tantially outweighed by undue g cumulative evidence.	Defendants do not believe that the replaying of testimony is efficient or prudent. Defendants believe that all testimony designated should be played sequentially as it is set forth in the deposition. Under this procedure, no testimony would be played more than once.
DEF AFFIRM	Weist, John 04/05/2017	64:16–65:21	Overrule	FRE 602, 611 (c): 65:17-65:21, 65:23-65:24 & 66 01-66:06- the questions are leading and seeks to introduce facts not in evidence as there is no evidence Mr. form of Peterson was lifting in excess of 15 to 20 lbs between his initial surgery and the fresti first incisional hemia surgery. RRE 403: the probative value of the questions is out Defenda weight by its unfair prejudice, confusing of issue and potential to mislead the jury. Pe prese	The questions are not leading, there was no leading objection or objection to the form of the question lodged at the time, and, most importantly, the Plaintiff took the testimony of the witness on direct, Defendants had him on cross, and Defendants were allowed to lead. Additionally, Defendants believe the evidence to be presented at trial will render this relevant.
DEF AFFIRM	Weist, John	65:23-66:06			

DESIGNEE	DEPONENT	DESIGNATIONS	RIIING	NOITTEN OT PENORPHINE	BIECTIONS
DEF BLANKET	Wong, Natalie			in this deposition relates entirely, or in significant part, to the Benuevy filter and artims taken regarding that filter Rard chierts	The references do not include cephalad migration death from the Recovery filter. Indee Camphell recognized the relevance probative value of such testimony.
				S	regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819)
PL AFFIRM	Wong, Natalie 10/18/2016	08:10-08:12 beginning with "Will you"			
PL AFFIRM	Wong, Natalie 10/18/2016	10:03-10:06			
PL AFFIRM	Wong, Natalie 10/18/2016	13:06-13:08			
DEF COUNTER	Wong, Natalie 10/18/2016	13:09-13:24 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	17:10-17:12			
DEF COUNTER	Wong, Natalie 10/18/2016	18:01-18:03 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	29:13-29:16 beginning with "what's the goal"			
PL AFFIRM	Wong, Natalie 10/18/2016	30:10-30:19 beginning with "Is"			
PL AFFIRM	Wong, Natalie 10/18/2016	31:04-31:11			
DEF COUNTER	Wong, Natalie 10/18/2016	31:12-31:15 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	31:16-31:22 beginning with "When would you"			
PL AFFIRM	Wong, Natalie 10/18/2016	32:13-32:19 beginning with "why does Bard "			
PL AFFIRM	Wong, Natalie 10/18/2016	32:23-33:04			
PL AFFIRM	Wong, Natalie 10/18/2016	33:07-33:20			
PL AFFIRM	Wong, Natalie 10/18/2016	40:07-40:13			
DEF COUNTER	Wong, Natalie 10/18/2016	40:14-40:16 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	43:14-44:01 beginning with "why is it"			
DEF COUNTER	Wong, Natalie 10/18/2016	44:01-44:13 For Completeness	Sustain as to 44 02-44 04	44:02-44:04 - Defedants are attempting to designate a partial question that was clearly struck by the offereing attorney and a self-depricating sidebar that has no relation to this case. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as	
PL AFFIRM	Wong, Natalie 10/18/2016	44:05-44:25			
PL AFFIRM	Wong, Natalie 10/18/2016	47:06-47:23 beginning with "when Bard's"			
PL AFFIRM	Wong, Natalie 10/18/2016	50:01-50:23 beginning with "that data"			
PL AFFIRM	Wong, Natalie 10/18/2016	52:10-52:18 beginning with "the adverse event"			

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION RESP	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie 10/18/2016	58:11-58:14			
DEF COUNTER	Wong, Natalie 10/18/2016	58:15-59:01 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	59:10-59:25			
PL AFFIRM	Wong, Natalie 10/18/2016	62.25-63:04	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Barc See, 64:18. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure failure mode at issue; Irrelevant and any probative value outweighed by The ref prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Judge (exclude exclude)	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	63:19-63:24	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Bard See, 64:18. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure failure mode at issue; Irrelevant and any probative value outweighed by The ref failure mode at issue; Irrelevant and any probative value outweighed by Judge C prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Judge C regard exclude	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	67:24-68:01 beginning with "there's an email"	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Bard See, 64:18. Rules 401, 402, 403 - Testimony does not involve filter at issue and/or failure failure mode at issue; Irrelevant and any probative value outweighed by The ref failure mode at issue; Irrelevant and any probative value outweighed by Judge C prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. Judge (exclude exclude ex	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	68:11-68:14	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Bard See, 64:18. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure failure mode at issue; Irrelevant and any probative value outweighed by The ref failure mode at issue; Irrelevant and any probative value outweighed by Judge C prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. 10819	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Lugge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	68:25-69:01	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Bard Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure failure to mode at issue; Irrelevant and any probative value outweighed by prejudicial ripe refrect, particularly with Plaintiff's punitive damages claim dismissed. regardic exclude exclude 10819).	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include caphalad migration death from the Recovery filter. Lugge Campbell recognised the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	69:22-70:06 Start at "And your"	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Bard See, 64:18. Rules 401, 402, 403 — Testimony does not involve filter at issue and/or failure failure mode at issue; irrelevant and any probative value outweighed by The reformance at issue; irrelevant and any probative value outweighed by Judge C prejudicial effect. Ingardi exclude	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Lugge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	71:08-72:01 Deginning with "you say" Redact "of death" at 71:14	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. All Ba See, 64:18. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure failure mode at issue; Irrelevant and any probative value outweighed by at issue prejudicial effect. Relates to migration deaths.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Migration is at issue in this trial. With the readstion, the references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie 10/18/2016	76:25-77:02 beginning with "Would you" Redact "of death" at 77:01	Sustain	on violates the COurt's ruling on Bard's MIL on Recovery migration 401, 402, 403 – Testimony does not involve filter at issue and/or st issue; Irrelevant and any probative value outweighed by ect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. With the redaction, the references do not include cephalad migration death from the Recovery filter, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL now 1081)
PL AFFIRM	Wong, Natalie 10/18/2016	77:05	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	77:07-77:08	Sustain		All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the delepoment of products at Bard. An essential function of her job is know what the customers of products at Bard. An essential function of her job is know what the customers (physicians) want on need
PL AFFIRM	Wong, Natalie 10/18/2016	77:11-77:12	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the delepoment of products at Bard. An essential function of her job is know what the customers (physicians) want or need
PL AFFIRM	Wong, Natalie 10/18/2016	84:25	Sustain	The exhibit violates the Court's ruling on Bard's MIL on Recovery migration deaths. See, 85:1. Rules 401, 402, 403 —Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 18081), judge Campbell admitted the HHE from 12/17/2004 with redactions in the
PL AFFIRM	Wong, Natalie 10/18/2016	85:02-85:15	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	86:02-86:13 beginning with "It states"	Sustain	This testimony violates the Court's ruling on Bard's MIL on recovery migration deaths. See, 86:3. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819), judge Campbell admitted the HHE from 12/17/2004 with redactions in the
PL AFFIRM	Wong, Natalie 10/18/2016	86:15-86:17	Sustain	This testimony violates the Court's ruling on Bard's MIL on recovery migration deaths. See, 88:20. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad nigration death from the Recovery filter. Lugge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819), judge Campbell admitted the HHE from 12/17/2004 with redactions in the
PL AFFIRM	Wong, Natalie 10/18/2016	86:19-86:23	Sustain	This testimony violates the Court's ruling on Bard's MIL on recovery migration deaths. See, 86:20. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Undge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 1981), judge Campbell admitted the HHE from 12/17/2004 with redactions in the
PL AFFIRM	Wong, Natalie 10/18/2016	87:10-87:15	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	87:22-87:23 beginning with "do you think"	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	87:25	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie 10/18/2016	99:21-99:22	Sustain	The exhibit being discussed violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The references do not include cephalad migration death from the Recovery filter. Augue Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819), judge Campbell admitted the HHE from 12/17/2004 with redactions in the Jones and Hyde cases. This particular question and answer is math question.
PL AFFIRM	Wong, Natalie 10/18/2016	100:05-100:06	Sustain	Rules 601/602 & 612. Lacks foundation, witness does not have personal knowledge of subject matter, calls for speculation by the witness. Judge Campbell sustained. Witness lacks knowledge. Doc 10403 p. 2A 23	Ms. Wong testified that she has been involved with putting together remedial action plan and doing the analysis. This is information was or should have been availble to Ms. Wong and Ms. Wong should have known this information if she did not.
PL AFFIRM	Wong, Natalie 10/18/2016	100:10-100:24	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	102:10-103:03	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	103:09-103:19	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed. Also, this violates the MDL Court's ruling on a motion for protective order finding that the hiring of the consultant and his report are protected work product.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. That is not what Judge Campbell's ruling said. Judge Campbell's ruling excluded very specific information and did not exclude the reference to Bard hiring consultants by name or otherwise. The order also did not exclude the information contained in the report becuase it can be found elsewhere such as the Dec 2004 HHE.
PL AFFIRM	Wong, Natalie 10/18/2016	104:19-105:24	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	109:24-110:09	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	110:14-110:20 beginning with "it says"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	112:13-112:22	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	114:10-114:13 beginning with "is it consistent"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	116:02-116:11 beginning with "this is being"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	118:20-118:23	Sustain	This designation violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue, irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. This is not a reference to cephalad migration death from the Recovery filter. This is a references to a particular severity level used by Bard to rate potential injuries as part of the DFMEA process, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	120:04-120:10 beginning with "was it ever"	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the delepoment of products at Bard. An essential function of her job is know what the customers (physicians) want on need
PL AFFIRM	Wong, Natalie 10/18/2016	121:12-121:13	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the delepoment of products at Bard. An essential function of her job is know what the customers (physicians) want or need

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DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie 10/18/2016	121:15-121:16	Sustain	Rules 40.1, 40.3, 40.3. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the delepoment of products at Bard. An essential function of her job is know what the cristomers (physicians) want or need
PL AFFIRM	Wong, Natalie 10/18/2016	121:18-121:24	Sustain	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's pob is the deleponent of products at Bard. An essential function of her job is know what the cristomers (physicians) want or need
PL AFFIRM	Wong, Natalie 10/18/2016	122:09-122:22	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	123:01-123:12	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	125:17-125:24	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	126:03-126:24	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's pob is the deleponment of products at Bard. An essential function of her job is know, what the cristomers (physicians) want or need.
PL AFFIRM	Wong, Natalie 10/18/2016	130:09-130:12	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	130:17-130:18	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PLAFFIRM	Wong, Natalie 10/18/2016	131:19-131:22 beginning with "Based on this"	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Judge Campbell sustanined this objection in the MDL. Dkt. 12590, page 4	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Bard has materially misrepresented the MDL Court's Order. The ruling on Ms. Wong's trestimony is on page 8 of the Order and the MDL Court did not rule on testimony from page 13.1
PL AFFIRM	Wong, Natalie 10/18/2016	132:14-132:18	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	132:20	Sustain	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	141:17-142:09			
PL AFFIRM	Wong, Natalie 10/18/2016	142:17-143:12 begin with "look at)			
DEF COUNTER	Wong, Natalie 10/18/2016	143:17-143:22 For Completeness	Overrule	FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	145:19-146:04			
PL AFFIRM	Wong, Natalie 10/18/2016	146:08-146:20			
PL AFFIRM	Wong, Natalie 10/18/2016	146:22-146:23			
DEF COUNTER	Wong, Natalie 10/18/2016	147:05-147:09 For completeness subject to objection	Sustain	Non-responsive answer. The answer was unrelated to the question asked. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	9
PL AFFIRM	Wong, Natalie 10/18/2016	148:06-148:10			
PL AFFIRM	Wong, Natalie 10/18/2016	148:12			
PL AFFIRM	Wong, Natalie 10/18/2016	150:11-150:24			
ong 10.18.16	3.16				283

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie	151:19-152:17			
PL AFFIRM	Wong, Natalie 10/18/2016	152:19-153:02			
PL AFFIRM	Wong, Natalie 10/18/2016	153:10-153:17 begin with "And"			
PL AFFIRM	Wong, Natalie	154:08-154:18			
PL AFFIRM	Wong, Natalie 10/18/2016	154:25-155:14			
PL AFFIRM	Wong, Natalie 10/18/2016	155:20-155:25	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed. There is no relating from in this case.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. There is a claim of migration in this case.
PL AFFIRM	Wong, Natalie 10/18/2016	157:06-157:15			
PL AFFIRM	Wong, Natalie 10/18/2016	157:22-159:04			
PL AFFIRM	Wong, Natalie 10/18/2016	170:06-170:23			
PL AFFIRM	Wong, Natalie 10/18/2016	171:07-171:22			
PL AFFIRM	Wong, Natalie 10/18/2016	172:06-172:21			
DEF COUNTER	Wong, Natalie 10/18/2016	173:01-173:07 For Completeness	Sustain	Non-responsive answer. The answer was unrelated to the question asked. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demostrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	175:15-175:25			
PL AFFIRM	Wong, Natalie 10/18/2016	176:20-177:14 begin with "10.1"	Sustain	177:10-14-the quesiton is not evidence and the answer is ambiguous. This objection was sustained by Judge Campbell. MDL Dkt. 10403, page 9, #33.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Counsel is allowed to offer context for questions. Ms. Wong would have been allowed to read the question on the record. The document will be in evidence.
DEF COUNTER	Wong, Natalie 10/18/2016	177:15-177:16 For Completeness	Overrule	Non-responsive answer. The answer was unrelated to the question asked. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demonstrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
DEF COUNTER	Wong, Natalie 10/18/2016	177:18-177:19 For Completeness	Overrule	Non-responsive answer. The answer was unrelated to the question asked. FRE 106 only requires completeness that "in fairness ought to be considered at the same time". Defendants have not demonstrated why this testimony, in the name of fairness, must be considered at the same time as Plaintiff's designation.	
PL AFFIRM	Wong, Natalie 10/18/2016	178:10-178:20	Sustain	The lawyer is simply reading the document to the witness. The quesiton is not evidence. This objection was sustained by Judge Campbell. MDL Dkt. 10403, page 9, #34.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Counsel is allowed to offer context for questions. Ms. Wong would have been allowed to read the question on the record. The document will be in evidence.
PL AFFIRM	Wong, Natalie 10/18/2016	182:18-183:14			
PL AFFIRM	Wong, Natalie 10/18/2016	187:20:188:04			
PL AFFIRM	Wong, Natalie 10/18/2016	213:13-214:10			
PL AFFIRM	Wong, Natalie 10/18/2016	265:09-265:21	Overrule	Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. The question at 265: 9-14 is answered at 265: 21.
PL AFFIRM	Wong, Natalie 10/18/2016	273:20	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff so untivive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.
PL AFFIRM	Wong, Natalie 10/18/2016	273:24-274:01 beginning with "It's a memorandum"	Overrule		All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie 10/18/2016	274:20-274:23	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. This restimony relates to the investigations of fractures in the Recovery and caudal migrations of the 62 filters, (274.10-274.19). Mr. Peterson's filter migrated, perforated, embedded and fractured, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819).
PL AFFIRM	Wong, Natalie 10/18/2016	276:23-277:01	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL DOc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing the its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	277:04-277:16	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL DOC. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	278:18-278:23 beginning with "And then"	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the development of products at Bard. An essential function of her job is know what the customers (physicians) want or need, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	278:25	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's failure to warn the medical community of the dangers of their filters. Ms. Wong's job is the development of products at Bard. An essential function of her job is know what the customers (physicians) want or need, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing the its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	279:03-279:22	Sustain as to 279:15- 279:24	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	279:24	Sustain	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ms. Wong's failure to warn the medical community of the dangers of their filters. Ms. Wong's bob is the development of products at Bard. An essential function of her job is know what the customers (physicians) want or need. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	283:12	Overrule	This exhibit relates soley to the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Ludge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFFIRM	Wong, Natalie 10/18/2016	283:19-283:22	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff's punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	284:06-284:12	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	284:18-285:08	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovey filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	285:13-286:03	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the case of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	286:12-286:23	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	287:20-288:01	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; Irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	288:09-288:12	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403. Testimony does not involve filter at issue and/or failure modes at issue; irrelevant and any probative value outweighed by prejudicial effect, particularly with Plaintiff s punitive damages claim dismissed.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death, (MDL Doz. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	288:15-288:24 beginning with "are you the."	Overrule	This relates soley to actions taken for the Recovery filter. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.

DESIGNEE	DEPONENT	DESIGNATIONS	RULING	OBJECTION	RESPONSES TO OBJECTIONS
PL AFHRM	Wong, Natalie 10/18/2016	289:23	Overrule	Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rule 611, cumulative testimony. Judge Campbell sustained cumulative. Doc 10403, p.4 A.55-56.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Defendants have not identified to what testimony this designation is cumulative, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	290:20-290:23	Sustain	This designation violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Rule 611, cumulative testimony. Judge Campbell sustained cumulative. Doc 10403, p.4 A.55-56.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Defendants have not identified to what testimony this designation is cumulative, Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death, (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	290:25-291:04 beginning with "As of"	Sustain	This designation violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rule 611, cumulative testimony. Judge Campbell sustained cumulative. Doc 10403, p.4 A.55-56.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Defendants have not identified to what testimony this designation is cumulative. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	291 06	Sustain	This designation violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; irrelevant and any probative value outweighed by prejudicial effect. Rule 611, cumulative testimony. Judge Campbell sustained cumulative. Doc 10403, p. 4 A.55-56.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Defendants have not identified to what testimony this designation is cumulative. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	291:08-291:10	Sustain	This designation violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or dialure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rule 611, cumulative testimony. Judge Campbell sustained cumulative. Doc 10403, p.4 A.55-56.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Defendants have not identified to what testimony this designation is cumulative. This is not a reference to cephalad migration death from the Recovery filter. Is not a reference to cephalad migration death from the Recovery filter. I Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.
PL AFFIRM	Wong, Natalie 10/18/2016	291:12	Sustain	This designation violates the Court's ruling on Bard's MIL on Recovery migration deaths. Rules 401, 402, 403 – Testimony does not involve filter at issue and/or failure mode at issue; Irrelevant and any probative value outweighed by prejudicial effect. Rule 611, cumulative testimony. Judge Campbell sustained cumulative. Doc 10403, p. 4 A.55-56.	All Bard filters are relevant to show the design defect of the Eclipse and Bard's failure to warn the medical community of the dangers of their filters. Defendants have not identified to what testimony this designation is cumulative. This is not a reference to cephalad migration death from the Recovery filter. Judge Campbell recognized the relevance probative value of such testimony regarding the design process from the Recovery filter to the Eclipse and did not exclude all references to cephalad migration only the cases of death. (MDL Doc. 10819). The testimony is relevant to the issue as to whether Bard acted reasonably given the complications is was seeing with its retrievable filters.